

**IN THE JUSTICE COURT OF VIRGINIA TOWNSHIP  
IN AND FOR THE COUNTY OF STOREY, STATE OF NEVADA**

<i>Name and Address of Plaintiff(s)</i>
<i>Plaintiff Phone:</i>
<i>Plaintiff Email:</i>
<b>Versus</b>
<i>Name of and Address of Defendant(s):</i>
<i>Def. Phone:</i>

Case No. \_\_\_\_\_

**SMALL CLAIMS AFFIDAVIT OF COMPLAINT  
AND ORDER**

STATE OF NEVADA        )  
COUNTY OF STOREY    )

I (*insert your name*) \_\_\_\_\_ being first duly sworn, deposes and says:  
That the defendant is indebted to the plaintiff in the sum of \$ \_\_\_\_\_; that the reason for this indebtedness is:

\_\_\_\_\_  
\_\_\_\_\_;

that this affiant has demanded payment of the sum; that the defendant refuses to pay the same. This action shall be tried in the Virginia Township Justice Court, State of Nevada, because the defendant resides, does business in, or is employed in Storey County at the time of the filing of this complaint, or was so when the cause of action arose; or in cases involving injury to the person or property, Storey County is the location where the injury occurred; or in cases involving a contract to perform an obligation, where the obligation is or was to be performed. I reside or receive mail at the above address.

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Justice of the Peace, Court Clerk, or Notary

\_\_\_\_\_  
*Signature of Plaintiff (Affiant)*

**SUMMONS AND ORDER TO APPEAR**

**NOTICE: YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR PRESENCE UNLESS YOU APPEAR ON THE FOLLOWING DATE. You are hereby ORDERED to appear for trial on the Plaintiff's claim at the Virginia Township Justice Court located at 26 South Street, Second Floor, Virginia City, NV 89440**

**ON \_\_\_\_\_, 20\_\_\_\_, AT THE HOUR OF \_\_\_\_\_**

You must arrive 30 minutes before your trial time to check in with the clerk. You are further notified that in the event you do not appear, Default Judgment can be entered against you in the amount claimed due by the Plaintiff which can result in the garnishment of wages and seizure of property. BRING WITH YOU ALL WITNESSES, AN ORIGINAL AND 2 COPIES OF ANY EVIDENCE, INCLUDING RECEIPTS OR BOOKS THAT ARE NECESSARY TO PROVE YOUR CASE.

BY: \_\_\_\_\_  
Deputy Clerk

PROOF OF SERVICE

Case No. \_\_\_\_\_

The undersigned declares:

- 1. At the time of the service of the papers herein referred to, I was over the age of eighteen years and not a party to this action;
- 2. I served the Affidavit of Complaint and Order in this action by delivering to and leaving with the persons hereinafter named, a copy, at the address and on the date set forth opposite each name below, in Storey County, Nevada.

Name of Person Served	Address Where Served	Date of Service

3.  The party served was the DEFENDANT named on the Affidavit of Complaint and Order.

4. The party served was (relationship to Defendant) \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Signature of person making declaration

\_\_\_\_\_  
Agency Name

\_\_\_\_\_  
Agency License Number

INFORMATION FOR DEFENDANT IN SMALL CLAIMS ACTIONS

1. **NONAPPEARANCE:** You have been served an order of the Court to appear for trial in a Small Claims case in the Virginia Township Justice Court. If you do not wish to contest the Plaintiff's claim you may a) Make an out-of-court settlement with the Plaintiff before the court date, or b) Make no appearance at the time in which case the Plaintiff may be given a judgment by default for the amount claimed, plus costs.

5. **SUBPOENA:** Forms are available on our website or at our office. A court clerk will sign the subpoena once you have filled it out. You must arrange to have the original subpoena served on your witness. Keep at least one copy of the subpoena. On one of the copies, the declaration must be filled out by the person who served the subpoena on the witness. After the declaration has been completed, file the subpoena and declaration with the Court.

2. **10 DAYS NOTICE:** You are entitled to be served with the Complaint and Order at least 10 days before the trial date. If you are served less than 10 days before trial, you may 1) Appear in court and request a continuance, or b) Appear in court, waive your statutory right to such service, and proceed with the trial.

6. **PAYMENT:** If the Plaintiff recovers a judgment against you, the Plaintiff is entitled to immediate payment of the full amount of the judgment which may include court costs. When the judgment has been paid in full, Plaintiff must advise the court that the judgment has been fully satisfied.

3. **DEFENSES:** If you wish to contest the claim against you, you may file a Motion to Dismiss. There is no guarantee that the motion will be set for hearing. A judge can make a decision without calling the parties for a hearing. If the case is not dismissed on the motion, you must appear on the date set for trial with 2 copies of your documents, pictures, statements, etc., that you plan to present at the hearing, this includes electronic evidence.

7. **APPEAL:** If you are dissatisfied with the judgment, you may appeal the court's decision within 5 days after the date of entry of the judgment. The party appealing is required to post a cash bond. The court does not provide forms or assistance in filing your appeal. If you need legal advice or help in filing your appeal, you should consult an attorney.

4. **COUNTERCLAIMS:** If you believe either a) The Plaintiff owes you more money than you owe Plaintiff or b) Plaintiff's claim should be reduced by a sum Plaintiff owes you, you must file a counterclaim. The Plaintiff will be entitled to 10 days' notice of your counterclaim.

Dress appropriately for Court. Shoes and shirts are required. Court is not a suitable place for small children.

*Forms are available at our office or on our website. Go to <http://www.storeycounty.org/justice/Forms.asp>*