

State of New York

\_\_\_\_\_ COURT \_\_\_\_\_ COUNTY  
\_\_\_\_\_ OF \_\_\_\_\_ SMALL CLAIMS PART No. \_\_\_\_\_

NOTICE TO DEFENDANT:

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TAKE NOTICE THAT \_\_\_\_\_ PLAINTIFF,  
asks judgment in this Court against you for \$ \_\_\_\_\_ together with costs,  
upon the following claim:

In agreement with which the Plaintiff hereby signs and demands Judgment.

\_\_\_\_\_  
Plaintiff Signature and Address

There will be a hearing before the Court upon this claim on \_\_\_\_\_  
at \_\_\_\_\_ o'clock, \_\_\_\_\_ .M., in the Small Claims Part of this Court, held at \_\_\_\_\_  
\_\_\_\_\_. YOU MUST APPEAR to present your defense, or to present any

claim that you may have against the other party at the hearing described above. IF YOU DO NOT APPEAR IN PERSON OR BY AN ATTORNEY, JUDGMENT WILL BE ENTERED AGAINST YOU, EVEN THOUGH YOU MAY HAVE A DEFENSE. If your defense or counter claim is supported by witnesses, account books, receipts or other documents, you must bring them to the hearing. A counter claim cannot exceed \$3,000.00 and must be for money damages ONLY. A notice must be sent to the Court Clerk prior to your hearing.

If you admit the claim but desire time to pay, you must appear personally on the day set for the hearing, state to the Court that you require time to pay and show your reason for same.

Dated: \_\_\_\_\_ 19 \_\_\_\_\_  
Justice - Court Clerk

NOTE: If you desire a jury trial, you must, before the day set for the hearing, file with the Justice or Clerk of the Court a written demand for a trial by jury. You must also pay to the Justice or Clerk a jury fee of \$10.00 and file an undertaking in the sum of \$50.00 or deposit such sum in cash to secure the payment of costs that may be awarded against you. You will also be required to make an affidavit specifying the issues of fact which you desire to have tried by jury stating that such trial is desired and demanded in good faith.

Under the law, the Court may award \$25.00 additional costs to the plaintiff if a jury trial is demanded by you and a decision is rendered against you.

Adjourn to \_\_\_\_\_, 19 \_\_\_\_\_, 19 \_\_\_\_\_, 19

**BRING THIS NOTICE WITH YOU.**

AFFIDAVIT OF SERVICE ON INDIVIDUAL(S)  
State of New York, County of

SS:

being duly sworn, deposes and says, that he resides at  
and that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
at No. \_\_\_\_\_, he served the within Notice on the defendant(s) therein

named, by delivering to and leaving a true copy of each thereof with said defendant(s) personally; deponent knew the said person(s) so served as aforesaid to be the same person(s) mentioned and described in said notice as the defendant(s) therein; deponent is over eighteen years of age and not a party to this action.

AFFIDAVIT OF SERVICE ON A CORPORATION  
State of New York, County of

SS:

being duly sworn, deposes and says, that he resides at  
and that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
at No. \_\_\_\_\_, he served the within Notice on

a \_\_\_\_\_ Corporation, the defendant therein named by delivering to and leaving a true copy of each thereof personally with \_\_\_\_\_ an officer of

said corporation, to wit, its deponent knew said corporation so served as aforesaid to be the same corporation mentioned and described in said notice as the defendant therein, and knew said \_\_\_\_\_ to be an officer thereof at that time; deponent is over eighteen years of age and not a party to this action.

I asked the defendant whether defendant was in active military service of the United States or the State of New York in any capacity whatever. Defendant told me defendant was not. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations as narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

The person so served was male / female

Color of skin \_\_\_\_\_

Approximate weight \_\_\_\_\_ Pounds

Hair color \_\_\_\_\_

Approximate height \_\_\_\_\_ ft. \_\_\_\_\_ in.

Approximate age \_\_\_\_\_

Sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_  
Notary Public - Justice

STATE OF NEW YORK

County \_\_\_\_\_  
Court \_\_\_\_\_  
of \_\_\_\_\_

PLAINTIFF

against

DEFENDANT

Notice To Defendant  
Small Claims Court

Filed this \_\_\_\_\_ day \_\_\_\_\_  
of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Judge - Justice