

PRAECIPE

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT
SMALL CLAIMS

Plaintiff

Address

vs

Case No. _____
Div. No. 12

Defendant

Address

TO THE CLERK:

Issue an **ALIAS SUMMONS** in the above entitled cause, returnable according to law and direct the same to the Sheriff of _____ County, State of _____ to or for the defendant(s) _____



I REQUEST PERSONAL/RESIDENTIAL SERVICE

Attorney for

Date issued _____

By: _____, Deputy

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT
SMALL CLAIMS

Plaintiff

Address

vs.

Case No: _____
Division No: 12
Court Date: _____
Time: 2:00 p.m.

Defendant

Address

ALIAS SUMMONS

TO THE ABOVE NAME DEFENDANT(S)

You are hereby notified that the above-named Plaintiff has filed a claim against you under the Small Claims procedure of this Court. The State of Plaintiff's Claim and Demand for Judgment against you are set forth in the Petition which is served upon you with this Summons.

You must appear in person at the hearing or a Judgment will be entered against you. Except as otherwise provided by law, neither you nor the Plaintiff is permitted to appear with an attorney.

If your defense is supported by witnesses, books, receipts, or other papers, you should bring them with you at the time of your hearing. If you wish to have witnesses summoned, see the Clerk of the Court - Limited Actions Department at once for assistance.

If you admit the claim but desire additional time to satisfy the Plaintiff's demands, you must be present at the trial and explain the circumstances to the Court.

If you have a claim against the Plaintiff, which arises out of the transaction or occurrence which is the subject of Plaintiff's claim and your claim does not exceed \$4,000.00, you must complete the form **"DEFENDANT'S COUNTER-CLAIM"**, which accompanies this Summons, and return it to the Clerk of the Court-Limited Actions Department on or before the hearing date.

If your claim against the Plaintiff exceeds \$4,000.00, you may complete and return the form **"DEFENDANT'S COUNTER -CLAIM"** on or before the hearing date.

A hearing will be held on this matter at **2:00 p.m.** on the _____ day of _____, 20____
at the Wyandotte County Courthouse, in **DIVISION 12** of the Criminal Justice Complex located at 710 N 7th Street,
Kansas City, Ks 66101

Date: _____

Deputy Court Clerk

IN THE 29TH JUDICIAL DISTRICT
DISTRICT COURT WYANDOTTE COUNTY, KANSAS
LIMITED ACTIONS DEPARTMENT
SMALL CLAIMS

Plaintiff

Address

vs.

Case No. _____
Division No: 12

Defendant

Address

DEFENDANT'S COUNTER-CLAIM

INSTRUCTIONS TO DEFENDANT:

1. As stated in the Summons, if you have a claim against the Plaintiff which arises out of the transaction or occurrence which is the subject of the Plaintiff's claim and your claim does not exceed \$4,000.00, you must state your claim in the space provided below. If your claim against the Plaintiff exceeds \$4,000.00, you must also state your claim in the space provided below. In determining whether or not your claim against the Plaintiff exceeds \$4,000.00, do not include interest, costs, and any damage under the K.S.A. 60-2610 and amendments thereto, but do include the value of any personal property sought to be recovered as determined by your estimate of its value under oath.
2. Be clear and concise in stating your claim.
3. If the value of your claim exceeds \$4,000.00 (not including interest, cost, and any damages awarded under K.S.A. 60.2610 and amendments thereto, but including the value of any personal property sought to be recovered, as determined by your estimate of its value under oath), the Court must decide whether you may pursue your entire claim or only that portion not exceeding \$4,000.00.
4. If your claim exceeds \$4,000.00 and the Court determines that you may not pursue the entire claim at the hearing, you have three (3) alternatives: 1) Make no demand for judgment and reserve the right to pursue your entire claim in a court of competent jurisdiction; 2) Make a demand for judgment for the portion of your claim which does not exceed \$4,000.00 and reserve the right to bring action in a court of competent jurisdiction for any amount in excess thereof; or 3) Make a demand for judgment for the portion of your claim which does not exceed \$4,000.00 and waive your right to recover any excess.
5. When completed, this form must be filed with the Clerk of the Court in the Limited Actions Department on or before your hearing.

STATEMENT OF CLAIM

I, _____ (Defendant), having read the instructions, assert the following claim against _____ (Plaintiff): _____

DEMAND FOR JUDGMENT

Based on the claim stated above, Judgment is demanded against the Plaintiff as follows:

- 1. Payment of \$_____, plus interest, costs, and damages awarded under K.S.A. 60-2610 and amendments thereto.
- 2. Recovery of the following described personal property, plus costs: _____

This property has an estimated value of \$_____.

I, _____ (Defendant) hereby swear that, to the best of my knowledge and belief, the foregoing claim asserted against the Plaintiff (including the estimate of value of any property sought to be recovered) is a just and true statement.

Defendant

Subscribed and Sworn to me on this _____ day of _____, 20__.

Clerk/Notary Public

My Commission Expires:
