

STATE OF TENNESSEE, COUNTY OF SEVIER

DETAINDER SUMMONS

To Any Lawful Officer To Execute and Return: Summon each Defendant to appear before the Judge of the General Sessions Court of Sevier County on \_\_\_\_\_, 20\_\_\_\_ at 9:00 a.m. To be held at 125 Court Avenue, Sevierville, Tennessee. Check-in with General Sessions Civil Court Office, Room #104E for directions to Court Room for Civil Court.

To answer the claim by Plaintiff(s) for a money judgment for [ ] rent, [ ] damages, [ ] attorney fees, and court costs and for possession of property Plaintiff claims that Defendant(s) wrongfully possesses in this county having a street address, or otherwise described as: \_\_\_\_\_.

Defendant's initial possession was based on a [ ] written [ ] oral lease or \_\_\_\_\_ and the right to possession has now terminated because of non-payment of rent or \_\_\_\_\_.

[ ] Written [ ] Oral notice to vacate was given to Defendant(s) on or about \_\_\_\_\_, 20\_\_\_\_. Rent payments of \$\_\_\_\_\_ are due on the \_\_\_\_ day of each \_\_\_\_\_, and the amount of rent owing through \_\_\_\_\_ and unpaid is \$\_\_\_\_\_. Plaintiff holds \$\_\_\_\_\_ paid as a damage/security deposit. Plaintiff asks for possession of the property, all unpaid rent owed as of the court date, restitution for damages to the property, attorney fees (if provided for in the contract), and all court costs and litigation taxes.

Issued \_\_\_\_\_ Penny D. Johnson, Clerk \_\_\_\_\_ Deputy Clerk

[ ] Judgment is granted to Plaintiff(s) against Defendant(s) \_\_\_\_\_ in the amount of \$\_\_\_\_\_ and all costs and taxes, and for possession of the described property for which a writ of possession shall be issued on Plaintiff's request. This judgment is based on:

- [ ] Default of Defendant(s) [ ] Agreement of Parties [ ] Trial in Court

[ ] Case is dismissed and all costs and taxes are to be paid by Plaintiff, for which execution may issue. Dismissal is based on:

- [ ] Failure to prosecute the suit by Plaintiff(s) [ ] Non-suit by Plaintiff, requested by: \_\_\_\_\_ [ ] Finding in favor of Defendant(s) after trial

Date: \_\_\_\_\_ Judge: \_\_\_\_\_

JUDGMENT

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

\_\_\_\_\_ Plaintiff

\_\_\_\_\_ Address

\_\_\_\_\_ Phone

vs.

\_\_\_\_\_ Defendant

\_\_\_\_\_ Address

\_\_\_\_\_ Defendant

\_\_\_\_\_ Address

DETAINDER SUMMONS Court of General Sessions Penny D. Johnson, Clerk

By \_\_\_\_\_, Deputy Clerk

Issued \_\_\_\_\_, 20\_\_\_\_.

Set for \_\_\_\_\_ at \_\_\_\_\_.

Reset for \_\_\_\_\_

- Served Upon [ ] All Named Defendants [ ] Posted After Three Attempts

Signature \_\_\_\_\_

Served \_\_\_\_\_, 20\_\_\_\_.

Sheriff/Constable (Process Server)

Signature \_\_\_\_\_

Agency Address \_\_\_\_\_

Attorney for Plaintiff

Telephone \_\_\_\_\_

Attorney for Defendant

Telephone \_\_\_\_\_

SERVICE

We, \_\_\_\_\_, Principal, and \_\_\_\_\_, Surety, do hereby bind ourselves, our heirs and assigns to said Defendant(s), to pay all costs and damages which shall accrue to said Defendant(s), for the wrongful prosecution of this suite.

BOND

Date: \_\_\_\_\_

Principal

Surety

ORDER

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Judge

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is/is not a member of a military service.

AFFIDAVIT

Attorney for Plaintiff or Plaintiff

Notary Public

My Commission Exp. \_\_\_\_\_

**TO THE DEFENDANT(S):**

Failure to appear and answer this summons may result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption as well as a homestead exemption from execution or seizure to satisfy a judgment. The amount of the homestead exemption depends upon your age and the other factors which are listed in TCA § 26-2-301. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to execute it, you may wish to seek the counsel of a lawyer.

Legal Authority: TCA §29-18-112

Rev. 8/10