

STATE OF NORTH CAROLINA
20TH JUDICIAL DISTRICT
COUNTY OF _____

THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
CASE NUMBER _____
ASSIGNED JUDGE _____

_____,)
Plaintiff)
)
)
-v-)
)
)
_____,)
Defendant)

**NOTICE OF HEARING
OF
SMALL CLAIMS APPEAL**

This **NOTICE OF HEARING** hereby advises you that this case is scheduled upon a notice of appeal to District Court from the Magistrate's judgment in Small Claims Court, as follows:

DATE _____
TIME _____ AM _____ PM
PLACE Civil District Courtroom _____
_____ County Courthouse
_____, NC

The case is scheduled for mandatory pretrial conference trial

If you are the plaintiff and fail to appear, your case may be dismissed. If you are the defendant and fail to appear, judgment may be entered against you. If the appealing party fails to appear on the trial date, the appeal may be dismissed and the magistrate's judgment affirmed.

Unless the court orders otherwise, the appeal will be tried upon the original pleadings as filed. No pleadings, other than the pleadings filed in the small claims court, should be filed unless a motion to re-plead is filed and allowed. Motions to re-plead will be freely allowed provided they are timely filed. All motions to re-plead and any motion to continue, to be considered timely filed, should be filed within ten days from the entry of notice of appeal or your receipt of the Notice.

A copy of this Notice has been provided to the Family Court Case Manager.

I HEREBY CERTIFY THAT A COPY OF THIS NOTICE OF HEARING HAS BEEN SERVED IN THE FOLLOWING MANNER:

- By depositing a copy in the United States mail in a properly addressed, postpaid envelope to:
- Plaintiff at _____
 - Defendant at _____
 - Plaintiff's Attorney Defendant's Attorney
- By delivering a copy personally to: Plaintiff Defendant Plaintiff's Attorney Defendant's Attorney
- By Sheriff's service to: Plaintiff Defendant Plaintiff's Attorney Defendant's Attorney

This the _____ day of _____, _____.

Signature: _____ Attorney/Party/Case Manager

Name _____

Address/Telephone Number _____