

STATE OF TENNESSEE, COUNTY OF MONTGOMERY

DETAINER
SUMMONS

To Any Lawful Officer To Execute and Return: Summon each Defendant to appear before the Judge of the General Sessions Court of _____ County, on _____, 20____.

To be held in _____ (Court Room)
_____ (Address)

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 _____ 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: _____

Case No. _____

Plaintiff

Address

Phone

vs.

Defendant

Address

Defendant

Address

DETAINER SUMMONS
Court of General Sessions

By _____, Deputy Clerk

Issued _____, 20____.

Set for _____ at _____.

Reset for _____

Served Upon ☐ All Named Defendants
☐ All Defendants

Except: _____

Served _____, 20____.

Sheriff/Constable (Process Server)

Signature

Agency Address

Attorney for Plaintiff

Telephone _____

Attorney for Defendant

Telephone _____

SERVICE

JUDGMENT

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