

NOTICE TO DEFENDANT

READ THESE PAPERS CAREFULLY

WITHIN 14 DAYS (if the defendant is a public body or Attorney General and the plaintiff is an inmate, the defendant has 30 days) **AFTER RECEIVING THIS NOTICE YOU MUST DO ONE OF THE FOLLOWING THINGS:**

1. PAY THE CLAIM PLUS FILING FEES AND SERVICE EXPENSES PAID BY THE PLAINTIFF **OR,**
2. DEMAND A HEARING **OR,**
3. DEMAND A JURY TRIAL

THERE IS A FILING FEE REQUIRED TO DEMAND A HEARING OR TRIAL

If you fail to do one of the above things within **14 days (30 days for a public body or Attorney General)** after receiving this notice, then upon written request from the plaintiff, the clerk of the court will enter a judgment against you for the amount claimed plus filing fees and service expenses paid by the plaintiff, plus a prevailing party fee.

If the defendant is a public body or Attorney General and the plaintiff is an inmate, the plaintiff must file and serve a notice of intent to apply for an order of default at least 10 days before the court approves the default. Before the court can enter a default judgment, the inmate must submit to the court an affidavit of proof of service of the notice and claim and of the notice of intent to apply for an order of default.

If you have questions about the small claims court filing procedures after reading this notice, you may contact the clerk of the court; however, the clerk cannot give you legal advice on the claim.

**LINCOLN COUNTY CIRCUIT COURT
225 W. OLIVE, ROOM 202
PO BOX 100
NEWPORT, OR 97365
(541) 265-4236**