

001/014

8/15/2017 09:14 FAX 7048826635

File No. 17CVM1224	Abstract No.
Film No.	
Judgment Docket Book And Page No.	
JUDGMENT IN ACTION FOR SUMMARY EJECTMENT	
G.S. 7A-210(2), 7A-224: 42-30	
Name And Address Of Plaintiff Langtree HUD Development Company	
dba LangTree	
401 Langtree Road	
Mooresville	NC 28117
County IREDELL	Telephone No. (704)997-2590
VERSUS	
Name And Address Of Defendant 1 JASPER USA INC	
119 LANDINGS DRIVE	
Apt 310	
MOORESVILLE	
NC 28117	
County IREDELL	Telephone No.
Name And Address Of Defendant 2	
Name And Address Of Plaintiff's Attorney Loebsack & Brownlee, PLLC	
P.O. Box 78058	
Charlotte	
NC 28271	

STATE OF NORTH CAROLINA

IREDELL County

In The General Court Of Justice
District Court Division-Small Claims

This action was tried before the undersigned on the cause stated in the complaint. The record shows that the defendant was given proper notice of the nature of the action and the date, time and location of trial.

FINDINGS

The Court finds that:

- a. the plaintiff has proved the case by the greater weight of the evidence.
- b. the plaintiff has failed to prove the case by the greater weight of the evidence.
- c. the plaintiff requested and was entitled to a judgment for possession based on the pleading.
- the defendant(s) was was not present. The defendant was served by postings.
- a. there is no dispute as to the amount of rent in arrears, and the amount is \$ 1,967.61.
- b. there is an actual dispute as to the amount of rent in arrears. The defendant(s) claims the amount of rent in arrears is \$ _____, and this amount is the undisputed amount of rent in arrears.
- other: Plaintiff made a claim solely for possession of the Premises and reserved all claims for monetary damages. The defendant(s) _____ did OR _____ did not raise a defense to the Plaintiff's claims.

ORDER

It is ORDERED that:

1. the defendant(s) be removed from and the plaintiff be put in possession of the premises described in the complaint.
2. this action be dismissed with prejudice.
3. this action be dismissed with prejudice because the defendant tendered the rent due and the court costs of this action.
4. the plaintiff recover rent of the defendant(s) in the amount and at the rate listed below, plus other damages in the amount indicated. The plaintiff is also entitled to interest on the total principal sum from this date until the judgment is paid.
5. other: (specify)
6. costs of this action are taxed to the plaintiff, defendant.

Rate Of Rent \$ 1564.00 per <input checked="" type="checkbox"/> Mo. <input type="checkbox"/> Wk.	Amnt. Of Rent In Arrears (Owed To Date) \$ 1967.61	<input checked="" type="checkbox"/> Judgment Announced And Signed In Open Court
Amount Of Other Damages \$ 0	Date 8/8/2017	Signature Of Magistrate <i>[Signature]</i>
TOTAL AMOUNT \$ 0	Name Of Party Announcing Appeal In Open Court	

CERTIFICATION

(NOTE: To be used when magistrate does not announce and sign this Judgment in open court at the conclusion of the trial.)
I certify that this Judgment has been served on each party named by depositing a copy in a post-paid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Date _____ Signature Of Magistrate _____

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IREDELL COUNTY, NC

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08/15/2017 09:18 FAX 7048326635

File No. **17CVM1224**

COMPLAINT IN SUMMARY EJECTMENT

G.S. 7A-216, 7A-232; Ch. 42, Art. 3 and 7

Name And Address Of Plaintiff
Langtree HUD Development Company

dba LangTree
401 Langtree Road

Mooresville NC 28117

County Telephone No.
IREDELL (704)997-2590

VERSUS

Name And Address Of Defendant 1 Individual Corporation
JASPER USA INC
119 LANDINGS DRIVE
Apt 310
MOORESVILLE NC 28117

County Telephone No.
IREDELL

Name And Address Of Defendant 2 Individual Corporation

County Telephone No.

Name And Address Of Plaintiff's Attorney Or Agent
Stephanie Richmond
Loebsack & Brownlee, PLLC
P.O. Box 78058
Charlotte NC 28271
(704)970-3900

STATE OF NORTH CAROLINA
IREDELL County
In The General Court Of Justice
District Court Division-Small Claims

- The defendant is a resident of the county named above.
- The defendant entered into possession of premises described below as a lessee of plaintiff.

Description Of Premises (Include Location)
119 LANDINGS DRIVE, Apt 310, MOORESVILLE, NC 28117

Rate Of Rent	<input checked="" type="checkbox"/> Month <input type="checkbox"/> Week	Date Rent Due	Date Lease or Possession Terminated	Type Of Lease
\$ 1564.00 per		07/01/2017	02/27/2018	<input type="checkbox"/> Oral <input checked="" type="checkbox"/> Written

- The defendant failed to pay the rent due on the above date and the plaintiff made demand for the rent and waited the 10-day grace period before filing the complaint.
- The lease period ended on the above date and the defendant is holding over after the end of the lease period.
- The defendant breached the condition of the lease described below for which re-entry is specified.
- Criminal activity or other activity has occurred in violation of G.S. 42-63 as specified below.

Description Of Breach/Criminal Activity (give names, dates, places and illegal activity)
Failure to pay monthly rent when due/in full, from the date above through the hearing date.

- The plaintiff has demanded possession of the premises from the defendant, who has refused to surrender it, and the plaintiff is entitled to immediate possession.
- Pursuant to G.S. 42-28, Plaintiff hereby omits any claim for rents or damages and is seeking possession of the premises only. Plaintiff reserves the right to seek any monetary damages in a separate civil action.

Description Of Any Property Damage

Amount Of Damage (If Known)	Amount of Rent Unpaid	Total Amount Due
\$ CLAIMS RESERVED	\$ 3,128.00	\$ POSSESSION ONLY

- Plaintiff therefore requests to be put in possession of the Premises.

Date	Name Of Plaintiff/Attorney/Agent (Type Or Print)	Signature Of Plaintiff/Attorney/Agent
7/28/2017	Stephanie Richmond	Stephanie Richmond

CERTIFICATION WHEN COMPLAINT SIGNED BY AGENT OF PLAINTIFF

I certify that I am an agent of the plaintiff and have actual knowledge of the facts alleged in this Complaint.

Date	Name Of Agent (Type Or Print)	Signature Of Agent
7/28/2017		

BY
IREDELL COUNTY, N.C.
JUL 31 P 12:53
FILED