

STATE OF INDIANA

IN THE WAYNE SUPERIOR COURT NO. 3

COUNTY OF WAYNE

CAUSE NO. 89D03-\_\_\_\_\_

vs.

\_\_\_\_\_  
Plaintiff(s)

\_\_\_\_\_  
Defendant(s)

**AFFIDAVIT OF DEBT (SMALL CLAIM)**

Comes now affiant, and states that I, \_\_\_\_\_, am:

- Plaintiff,
- a Designated Full-Time Employee of Plaintiff, or
- a trustee for: \_\_\_\_\_  
(name of Plaintiff)

I am of adult age and am fully authorized by Plaintiff to make the following representations. I am familiar with the recordkeeping practices of Plaintiff. The following representations are true according to the documents kept in the normal course of Plaintiff's business and/or my personal knowledge:

Plaintiff:

- is the original owner of this debt, and **evidence of the debt, as required by Small Claims Rules 2(B)(4)(a) and -(4)(b), is attached** as one or more exhibits to this Affidavit; OR
- has obtained this debt from \_\_\_\_\_, and the original owner of this debt was \_\_\_\_\_. Attach the following:
  - A chronological listing of names of all prior owners of the debt and the date of each transfer of ownership of the debt, beginning with the name of the original owner of the debt;
  - Evidence of the debt, as required by Small Claims Rule 2(B)(4)(c), is attached as one or more exhibits to this Affidavit. A copy of the contract or other writing evidencing the original debt must contain a signature of Defendant. If a claim is based on a credit card or other debt, and no such signed writing evidencing the original debt ever existed, copies of documents generated when the debt was incurred, or the credit card was actually used; and
  - a certified or other properly authenticated copy of the bill of sale or other document transferring ownership of the debt to Plaintiff.

Defendant has an unpaid balance of \$ \_\_\_\_\_ on account \_\_\_\_\_ that is due and owing to Plaintiff. *(last 4 digits only)*

This account was opened on \_\_\_\_\_  
*(date)*

The last payment from Defendant was received on \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

- This account balance includes:
- Late fees in the amount of \$ \_\_\_\_\_ as of \_\_\_\_\_  
*(date)*
  - Interest at the rate of \_\_\_\_% beginning on \_\_\_\_\_  
*(date)*
  - Other \_\_\_\_\_  
*(date)*

The type of account is:  Credit card account \_\_\_\_\_  
(name of bank, company, or store that issued the card)  
 Account for utilities (i.e. telephone, electric, sewer, etc.)  
 Medical bill account (i.e. doctor, dentist, hospital, etc.)  
 Account for services (i.e. attorney's fees, mechanic's fees, etc.)  
 Judgment issued by a court (attach a copy of the judgment – **REQUIRED**)  
 Other \_\_\_\_\_

Plaintiff:  is seeking attorney's fees, and additional evidence will be presented to the Court prior to entry of judgment on attorney's fees, OR  
 is not seeking attorney's fees.

Plaintiff believes that Defendant is not a minor or an incompetent individual.

If Defendant is an individual, Plaintiff states that:

Defendant is not on active military service, based on a search at: <https://scra.dmdc.osd.mil> (attach report) or based on the following facts: \_\_\_\_\_, OR

Plaintiff is unable to determine whether or not Defendant is on active military service.  
(*"Active military service" includes full-time duty in the military, including National Guard and the Reserves, and, for members of the National Guard, service under a call to active service authorized by the President or the Secretary of Defense. For further information, see the definition of "military service" in the Servicemembers Civil Relief Act, as amended, 50 U.S.C.A. Appx. § 521.*)

I swear or affirm under penalties of perjury that the foregoing representations are true.

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(Signature of Affiant)