

IN THE CHANCERY COURT OF _____ COUNTY, MISSISSIPPI

PLAINTIFF(S)

VERSUS

NO. _____

DEFENDANT(S)

SUMMONS

THE STATE OF MISSISSIPPI

TO: _____

NOTICE TO DEFENDANT

THE COMPLAINT OR PETITION WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are summoned to appear and defend against the Complaint or Petition filed by Plaintiff with this Court on the _____ day of _____, 201__, at 9:___ a.m., at the _____ County Courthouse/Chancery Building in _____, Mississippi, and in case of your failure to appear and defend, a judgment will be entered against you for the money or other things demanded in the Complaint or Petition. The Complaint is seeking temporary relief pending a trial on the merits. Temporary hearings are decided by the Judge on sworn Affidavits that all parties must provide to the Judge and opposing counsel addressing the temporary relief sought.

You are not required to file an answer or other pleading, but you may do so if you desire. However, a Certificate of Compliance must be filed and Affidavits supporting your position, together with all financial documentation required by Rule 8.05 of the Uniform Chancery Court Rules, which are to be considered by the Court, must be mailed to the assigned Judge and to counsel for Plaintiff by you no later than 5:00 o'clock, p.m. on the _____ day of _____, 201__. The original Certificate of Compliance must be filed with the Chancery Clerk of _____ County by 5:00 o'clock, p.m., on the aforesaid date.

Issued under my hand and the seal of said Court, this the _____ day of _____, 201__.

_____, Chancery Clerk

_____ County, Mississippi

(SEAL)

BY: _____ D.C.

(Note: All summons issued to the sheriff must be returned prior to the time the defendant is summoned to appear.)

PROOF OF SERVICE--SUMMONS

(Process Server)

[Use separate proof of service for each person served]

Name of Person or Entity Served

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

____ **FIRST CLASS MAIL AND ACKNOWLEDGEMENT SERVICE.** By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgement and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgement of receipt pursuant to M.R.C.P. Form 1B).

____ **PERSONAL SERVICE.** I personally delivered copies to _____ on the _____ day of _____, 201__, where I found said person(s) in _____ County of the State of _____.

____ **RESIDENCE SERVICE.** After exercising reasonable diligence I was unable to deliver copies to said person within _____ County, _____. I served the summons and complaint on the _____ day of _____, 201__, at the usual place of abode of said person by leaving a true copy of the summons and complaint with _____, who is the _____ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the _____ day of _____, 201__, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

____ **CERTIFIED MAIL SERVICE.** By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \$_____

Process server must list below: [Please print or type]

Name: _____ Social Security No.: _____

Address: _____

Telephone No.: _____

County of _____ State of _____

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

PROCESS SERVER (SIGNATURE)

SWORN TO AND SUBSCRIBED BEFORE ME, this the _____ day of _____, 201__.

NOTARY PUBLIC