

ADVISEMENT FOR REPLEVIN CASES-PLEASE READ CAREFULLY

YOU WILL NOT APPEAR IN COURT IN PERSON

TO ALL DEFENDANTS: You have been served with paperwork for a replevin action. This document describes your options. You will have to choose one of the options. The paperwork you received provides you with a date to appear in Court. **YOU WILL NOT APPEAR IN COURT IN PERSON.** Instead, you will choose one of the options below. The date to appear on your paperwork is the date and time by which you must exercise one of the options.

Option # 1 REACH AN AGREEMENT: You can contact the petitioner to reach an agreement. The contact information is listed on the paperwork you were served with. Please be aware that the petitioner is not required to reach an agreement with you and the Court cannot require that they reach an agreement with you. If an agreement is reached, it will be put in writing and become a court order. It will be your responsibility to make sure you understand any agreement reached. If you and the petitioner choose to reach an agreement, the agreement must be signed by you and filed with the Court on or before 4:30 p.m. on the date listed on the Summons you were served with.

Option # 2 FILE AN ANSWER: The second option is you may file an Answer to the Complaint that was filed against you. If you feel that the allegations are not supported by the facts or the law and you dispute the claims made against you, filing an Answer is an appropriate step. When you file an Answer, you are asking for a trial and for the facts and the evidence to be heard by a judicial officer. If you wish to file an Answer, you must file the Answer on or before 4:30 p.m. on the date listed on the Summons you were served with. If you do not file an Answer by that date, you will have no further opportunity to do so.

To file an Answer: Answers can be filed in person or by mail addressed to the Clerk of Court, Fourth Judicial District Combined Courts, 270 S. Tejon St., Colorado Springs, CO 80903. If you mail the Answer, please include the filing fee in the form of a check or money order payable to the Clerk of Court. You may call the Clerk's Office at (719) 452-5000 to obtain the cost of the filing fee. If you cannot afford the filing fee, you may qualify for a waiver or a payment plan. You may call the Clerk's office to request the paperwork for waiving the fee or a payment plan or find the paperwork on the Fourth Judicial District website at www.courts.state.co.us. You will have to submit the paperwork and supporting documentation for the fee waiver at the same time as submitting your Answer. If you file the waiver and supporting documentation on a date later than or after filing your Answer, your waiver request will be denied. You will be notified by mail if you qualify or are denied. If denied, you will receive documentation requesting payment of the filing fee. **Once your Answer is filed the Court will contact you to schedule your trial. *PLEASE BE CERTAIN TO INCLUDE A TELEPHONE NUMBER AND E-MAIL ADDRESS ON YOUR ANSWER***

Option # 3 DO NOTHING: Your third option is to do nothing. Should you choose that option, the plaintiff may request that the judicial officer issue a default judgment against you.

This document was written by the Court. Magistrate Paprzycki, Fourth Judicial District