

IN THE JUSTICE COURT OF _____ COUNTY, STATE OF MISSISSIPPI

LANDLORD: _____ versus

TENANT(S): _____.

Case # _____. Docket # _____. Page # _____.

JUDGMENTS ON COMPLAINT FOR RESIDENTIAL EVICTION

A. JUDGMENT FOR MONETARY DAMAGES

TRIAL JUDGMENT:

WHEREAS on the date of this judgment this Court having conducted a trial in the above styled action on the LANDLORD'S complaint against the TENANT for monetary damages for a material breach of the rental agreement for a dwelling unit, along with any counterclaims or set-offs asserted by the TENANT against the LANDLORD that are within the jurisdictional limits of justice court,

DEFAULT JUDGMENT:

WHEREAS on the date of this judgment this Court having conducted a hearing in the above-styled case on the LANDLORD'S complaint against the TENANT for monetary damages for a material breach of the rental agreement for a dwelling unit and finding that the TENANT had been properly served pursuant to Rule 14 of the Rules of Justice Court, but failed to appear as summoned, and that there is a factual basis for the LANDLORD'S claims for monetary damages, to wit: _____

IT IS HEREBY ORDERED:

- That the LANDLORD recover from the TENANT the total sum of \$_____ with interest at the rate of _____ percent annum from this date, together with all costs of this action, for which let execution issue.

Judgment on complaint: \$ _____
Minus judgment on counterclaim: \$ _____
Plus costs of action: \$ _____
Total sum due: \$ _____

- That the TENANT recover from the LANDLORD on the asserted counterclaim the sum of \$_____ with interest at the rate of _____ percent annum from this date, together with all costs of this action, for which let execution issue.

Judgment on counterclaim: \$ _____
Minus judgment on complaint: \$ _____
Plus costs of action: \$ _____
Total sum due: \$ _____

B. POSSESSION JUDGMENT

- **TRIAL JUDGMENT FOR LANDLORD:**
WHEREAS on the date of this judgment this Court having conducted a trial in the above styled action on the LANDLORD’S complaint against the TENANT for eviction and finding that the LANDLORD had complied with Section 89-8-33 of the Mississippi Code; that the tenant failed to present a valid defense or counterclaim; and that the landlord is otherwise entitled to a possession judgment by law,

- **DEFAULT JUDGMENT FOR LANDLORD:**
WHEREAS on the date of this judgment day this Court having conducted a hearing in the above-styled case on the LANDLORD’S complaint against the TENANT for eviction and finding the LANDLORD had complied with Section 89-8-33 of the Mississippi Code; that the issuance and service of process was proper; that the tenant failed to appear; and that the landlord is otherwise entitled to a possession judgment by law,

IT IS HEREBY ORDERED:

- That the LANDLORD be granted exclusive possession of the premises subject to the following conditions:
 - The tenant must vacate the premises in seven (7) days.
 - The tenant must vacate the premises in _____ days, this longer or shorter period of time is justified because of an emergency or other compelling circumstances, to wit:
 - The tenant has committed a substantial violation of the rental agreement or of this chapter that materially affects health or safety, to wit:
_____.
 - The tenant poses an immediate and significant risk of damage to the premises or of harm or injury to persons on the premises, to wit:
_____.
 - Other emergency or compelling circumstances, to wit:
_____.

Prior to this court-ordered move-out date, the tenant shall have the same access to the premises as previously allowed under the terms of the rental agreement. If the tenant moves out by the date ordered by the court, leaving personal property behind, then the landlord may dispose of such abandoned property without further notice.

After this court-ordered move-out date, the landlord may request a warrant for removal. Upon such request and the payment of applicable fees, this Court shall, except as otherwise prohibited under Section 89-8-39(4) of the Mississippi Code, immediately issue a warrant to the sheriff or any constable of the county in which the premises, or some part thereof, are situated, immediately commanding the sheriff or constable to remove all persons from the premises, and to put the landlord into full possession thereof.

After the warrant for removal has been executed, the landlord shall allow the tenant reasonable access to the premises for SEVENTY-TWO (72) HOURS to enable the tenant to remove the tenant's personal property, including any manufactured home. If the tenant moves out within SEVENTY-TWO (72) HOURS of the execution of the warrant of removal, leaving personal property behind, then the landlord may dispose of such abandoned property without further notice.

After the SEVENTY-TWO (72) HOURS, the landlord may remove any property remaining on the premises to the curb, an area designated for garbage or some other location agreed to by the tenant and the landlord.

Check if applicable:

- FURTHERMORE, this judgment of possession is based SOLELY on the tenant's nonpayment of rent, therefore this Court will not issue a warrant for removal if, by the court-ordered move-out date, the tenant has PAID IN FULL all unpaid rent and other sums awarded to landlord in the judgment or if, after such date, the landlord has accepted payment of such amounts. The landlord has an obligation of good faith to accept full payment of all such sums owed pursuant to the money judgment if so tendered on or before the court-ordered move-out date.

- POSSESSION JUDGMENT NOT GRANTED:**
WHEREAS on the date of this judgment this Court having conducted a trial or hearing in the above styled action on the LANDLORD'S complaint against the TENANT for eviction and finding that the LANDLORD is not entitled to a possession judgment by law, to wit:

the LANDLORD'S application for exclusive possession of the premises is DENIED. The TENANT shall recover all costs of this action, for which let execution issue.

APPEALS FROM FINAL JUDGMENTS SHALL BE PURSUANT
TO APPLICABLE MISSISSIPPI RULES OF COURT.

ORDERED AND ADJUDGED this the ____ day of _____, 20 ____.

JUSTICE COURT JUDGE