

IN THE MAGISTRATE COURT OF _____ COUNTY, WEST VIRGINIA

Name, Address & Phone Number of Plaintiff:

Case No. _____

v.

Name, Address & Phone Number of Defendant

WORTHLESS CHECK: CIVIL COMPLAINT

W. Va. Code §§50-4-1, 50-5-8(a); 55-16-1; Mag. Ct. Civil Rules 2, 6A

The above-named plaintiff or _____, on behalf of the plaintiff acting in the capacity of _____, alleges the following as true and accurate *(give clear and simple statement of the claim against the defendant(s))*

and requests the following relief from the court *(check all that apply)*

- \$ _____ [the face amount of the check less any money received as partial payment of the debt of the check];
- \$ _____ [for damages] [**NOTICE:** the amount claimed for damages may on be \$500 or the face value of the check, whichever is less];
- \$ _____ [reasonable court costs]

and the following additional relief: _____

Signature

Date

NOTICE: A plaintiff may **NOT** file both a worthless-check civil complaint and a worthless check criminal complaint for the same worthless check(s) [§55-16-1-(g)]. If a plaintiff does this, the court will dismiss whichever complaint was most recently filed.

NOTICE: Any party in a civil action seeking over \$20.00 or possession of real estate has the right to elect that the case be tried by a jury. You must give written notice to the magistrate court either 20 days from when the first timely answer to the complaint is made. If you do not notify the magistrate court within the appropriate time period, you give up your right to a jury trial. The jury fee will be assessed against the losing party if the case is tried by a jury or may be prorated between the parties if the case is settled before trial.

(OPTIONAL) NOTICE OF ELECTION:

As plaintiff in the above action, I wish to have a jury trial.

Signature

Date

NOTICE: Any person involved in court proceedings who has a disability and needs special accommodations should inform the court sufficiently in advance so that arrangements can be made if possible.