

INSTRUCTIONS ON DEFAULT JUDGMENT FOR EVICTION

These forms reference certain South Dakota Codified Laws (SDCL) on eviction matters and all of which can be found here: <https://sdlegislature.gov/Statutes>. Should you have questions on the law, you are highly encouraged to speak with an attorney. Court staff cannot help you interpret the law.

Court employees cannot help you fill out forms or give you legal advice. If you have legal questions, please consult an attorney. You can also call the Legal Form Help Line at 855-784-0004, or email UJS staff at ujssrlhelp@ujs.state.sd.us for specific questions on the forms.

- Complete the caption.
- Fill in the address of the property you are evicting the Defendant/Tenant from.
- Leave the remainder of the form blank.
- If the Judge signs the Default Judgment, file the signed copy with the Clerk of Court.
- Follow instructions and complete the Notice of Entry of Default Judgment for Eviction UJS-118.
- Mail a copy to the Defendant/Tenant.

<p style="text-align: center;">_____ Plaintiff/Landlord</p> <p>v.</p> <p style="text-align: center;">_____ Defendant/Tenant</p>	<p>FILE NO: _____</p> <p style="text-align: center;">DEFAULT JUDGMENT (FOR EVICTION)</p> <p><input type="checkbox"/> Granted <input type="checkbox"/> Denied</p>
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THIS MATTER having come before the Court on the Plaintiff/Landlord’s Motion for Default Judgment for Eviction and Affidavit in Support of, the Court finds, from the files and pleadings herein, that the Defendant/Tenant(s) was duly served with the three (3) day Notice to Vacate and Quit and the Summons and Complaint; and the Defendant/Tenant(s) having made no answer, appearance, or pleading and upon motion of the Plaintiff/Landlord, the Court finds that the Defendant/Tenant(s) is in default, now, therefore:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. That the Defendant/Tenant(s) is in unlawful possession of the property located at:

(Street Address)

(City, State, Zip Code)

which is owned by Plaintiff/Landlord. Plaintiff/Landlord shall be restored possession of said premises immediately and without delay.

2. That execution shall issue herein at the time and in the manner provided by law and the local Sheriff’s Department is hereby directed to forcibly remove the Defendant/Tenant(s), and all others in possession, from the above-described premises on or after 12:00 AM on _____.
3. The Court grants monetary judgment to the Plaintiff/Landlord against the Defendant/Tenant(s) for past-due rent, late fees and deposits in the amount of \$ _____.
4. The Plaintiff/Landlord be awarded their costs in the amount of \$ _____ for the filing fee for this action and \$ _____ for additional costs and fees for a total of \$ _____.

5. Any of the Defendant/Tenant(s) property left at said premises described above, if valued in excess of \$500, shall be stored for thirty (30) days, and if unclaimed after thirty (30) days, the property shall be deemed abandoned.

Dated this _____ day of _____, 20__.

ATTEST:

BY THE COURT:

By: _____
Clerk/Deputy Clerk

MAGISTRATE/CIRCUIT JUDGE