

**COMPLAINT (EJECTMENT, DAMAGES);  
DECLARATION; EXHIBIT; SUMMONS**

Form#3DC57

**IN THE DISTRICT COURT OF THE THIRD CIRCUIT  
\_\_\_\_\_ DIVISION  
STATE OF HAWAI'I**

Plaintiff

Reserved for Court Use

Civil No.

Defendant

Filing Party/Attorney Name, Attorney Number, Firm Name (if applicable), Address, and Telephone Number

Premises Address:

**COMPLAINT FOR EJECTMENT**

1. This Court has jurisdiction over this matter and venue is proper.
2. The premises is located in this division of this Court.
3. Plaintiff is the owner or the agent for the owner of the premises.
4.  Defendant is in possession of the premises without legal authority or permission.
5. If title was obtained through a non-judicial foreclosure action:
  - Plaintiff did not initiate the non-judicial foreclosure action.
  - Plaintiff did initiate the non-judicial foreclosure action and acquired title at auction as the highest bidder. Plaintiff asserts that the sale of the property was conducted in a manner that was fair, reasonably diligent, in good faith, and the price at auction was an adequate price.
6.  If a written notice to vacate was given to Defendant a copy is attached.
7. The Servicemembers Civil Relief Act, 50 U.S.C. App §501 may apply to a Defendant who is classified active duty as defined in the Act. Please check all that apply.
  - To the best of my knowledge, the Defendant is not a member of the military.
  - The following Defendant is an active duty member of the military. Name \_\_\_\_\_.
  - I am unable to determine whether the Defendant is an active duty member of the military. Please attach a separate page indicating what attempts were made to determine Defendant's military status.

**SEE PAGE 2**

I certify that this is a full, true and correct copy of the original on file in this office.

\_\_\_\_\_  
Clerk, District Court of the above Circuit, State of Hawai'i

**COMPLAINT (continued)**

**Plaintiff is asking the Court for the following:**

- A. A Judgment giving Plaintiff possession of the premises.
  
- B. A Writ of Possession directing the Department of Law Enforcement or serving officer to:
  - 1. Remove Defendant from the premises and all persons possessing the premises through Defendant;
  - 2. Remove from the premises all personal belongings of Defendant and of any other person; and
  - 3. Put Plaintiff in possession of the premises.
  
- C. Judgment against Defendant for \$ \_\_\_\_\_.


In addition, the Court may award other damages, court costs, interest, and reasonable attorney's fees, as allowed by statute.

|              |   |
|--------------|---|
| <b>Date:</b> | <b>Signature of Plaintiff/Attorney:</b> |
|              | <b>Print/Type Name:</b>                 |

**DECLARATION**

**I DECLARE UNDER PENALTY OF LAW THAT WHAT IS STATED IN THE COMPLAINT IS TRUE AND CORRECT.**

|              |                                |
|--------------|--------------------------------|
| <b>Date:</b> | <b>Signature of Declarant:</b> |
|              | <b>Print/Type Name:</b>        |

 If you need an accommodation for a disability when participating in a court program, service, or activity, please contact the ADA Coordinator as far in advance as possible to allow for time to provide an accommodation. Call the ADA Coordinator at (808) 961-7629, Fax (808) 961-7577. Send an e-mail to [adarequest@courts.hawaii.gov](mailto:adarequest@courts.hawaii.gov). The ADA coordinator will try to provide, but cannot guarantee, the requested auxiliary aid, service, or accommodation.

**For all Civil related matters, please call or visit the District Court Civil Section at Hilo Division, 777 Kilauea Avenue, Hilo, Ph. (808) 961-7515 • Kohala Division, 67-5187 Kamamalu Street, Kamuela, Ph. (808) 443-2030 • Kona Division, 74-5451 Kamakaeha Avenue, Ph. (808) 322-8700.**