

1 **Rule 2A. Defendant's removal from district court.**  
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3 (a) A defendant removing a case from district court pursuant to 78A-8-102 shall file with the clerk  
4 of the justice court with jurisdiction:

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6 (a)(1) a copy of the notice of removal filed in district court;

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8 (a)(2) the plaintiff's stipulation to proceed in small claims; and

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10 (a)(3) any counter affidavit showing a right to recover damages from the plaintiff.

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12 (b) Unless waived upon filing an affidavit of impecuniosity, the appropriate filing fee must  
13 accompany the notice of removal.

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15 (c) Upon filing the notice of removal, the clerk of the court shall schedule the trial and issue  
16 notices, which the defendant shall serve upon the plaintiff, along with a copy of any counter  
17 affidavit.