1 COURT PACKET: TONEY DOES NOT COME

Use this packet only if Toney is **NOT** in the courtroom.

Case	Rasha Jaafar & Nedhal Thwaini v. Antonio Spencer **Case number: CI 26-13193**
Day and time	**Wednesday, November 18, 2026, 8:30 AM** Arrive by **8:00 AM**
Place	Lancaster County Court, 575 S 10th St, Lincoln **2nd floor, Courtroom 21**
The house	2320 S 58th St, Lincoln, NE 68506

Toney walks in? STOP. Put this packet away.

Find your page

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1 BEFORE COURT

What to bring, and what to check

Bring these

- ☐ This packet
- ☐ 3 copies of the **Exhibit List** and papers 1 to 9 in Section 10 (judge, clerk, you)
- ☐ The **original** lease and the **original** notice (keep them in a folder)
- ☐ Photo ID
- ☐ A pen
- ☐ Phone with the house photos and videos (phone on silent)

When you arrive (8:00 AM)

1. Go to the **2nd floor**. Find **Courtroom 21** on the screen.
2. Go to the **clerk's window** (2nd floor, across from Courtroom 20).
3. Ask the clerk **2 questions**. Write the answers.

ASK CLERK **"Is the return of service on file for case CI 26-13193?"**
Answer: _____

ASK CLERK **"Is today only about the house? Is the rent on another day?"**
Answer: _____

DO NOT take money from Toney. Do not agree to anything in the hallway. Taking rent now can **hurt the case**.

2 WHAT WILL HAPPEN

In the courtroom, step by step

Step	What happens	What you do
1	The judge calls the case: "Jaafar and Thwaini versus Spencer."	Stand up. Say: **"Present, Your Honor."**
2	The judge checks that Toney got the court papers.	Wait. Answer only if asked.
3	The judge asks if Toney is in the military.	Give the judge **paper #9** (military form).
4	Rasha promises to tell the truth ("sworn in").	Raise your right hand. Say **"I do."**
5	Rasha tells what happened.	Read **Section 4**. Then answer questions (**Sections 5 and 6**).
6	The judge decides.	Listen. Write down what the judge says.
7	The judge signs the decision (the "journal entry").	Ask for a copy. See **Section 8**.

Two possible results

A The judge decides about the house **and** the money today.

B The judge decides about the house today (or says it does not matter, because the house is empty). The judge sets **another day for the money**. Write that date down.

3 GOLDEN RULES

How to talk to the judge

1. **Call the judge "Your Honor."**
2. **Speak slowly. Short sentences are good.**
3. **Say only what is true and what you know.**
4. **Never guess a date or a number.**
5. **"I do not know" is OK, when it is true.**
6. **Answer only the question. Then stop.**
7. **Do not argue with the judge.**
8. **Talk only to the judge.**

Helpful sentences

SAY "Could you repeat the question, please, Your Honor?"

SAY "Could you say that more slowly, please?"

SAY "Do you want the date, or what happened?"

SAY "May I look at my notes for dates and amounts?"

SAY "I need an interpreter, please." (only if you need one)

ASK FIRST "Your Honor, may my family member sit with me and help me find my papers?"

REMEMBER If the judge says yes, Hajer can sit with you, find pages, and hand you papers. Hajer **cannot** speak, answer, or whisper answers for you. Rasha speaks for herself. Need time? Say: "May I have a moment to find my notes?"

4 WHAT RASHA SAYS FIRST

About 1 to 2 minutes. Read slowly. Fill the blanks before Wednesday.

First ask: "Your Honor, may I look at my notes for dates and amounts?" If the judge says no: tell it in your own words, same order.

1. Good morning, Your Honor. My name is Rasha Jaafar.

2. Nedhal Thwaini and I own the house at 2320 South 58th Street in Lincoln.

3. On August 15, 2025, we signed a lease with Antonio Spencer.

4. The rent is $1,900 each month, due on the 1st.

5. The late fee is $25 a day after the 5th.

6. After 12 months, the lease went month to month.

7. On September 28, 2026, I mailed him a notice. It said: leave by October 31.

8. He texted me back about it. So he got it.

9. He did not pay October rent.

10. On _____, the gas company called us. They said the tenants moved out.

11. We went to the house on _____. It was empty.

12. We got in by _____. We have the keys: **YES / NO**.

13. We ask for: the house, if needed. October rent and late fees. Rent for the days after October 31. Our court costs.

14. Thank you, Your Honor.

DO NOT talk about the washer, dryer, fridge, windows, or going in, **unless the judge asks**. Answers are in Section 6.

5 EASY QUESTIONS (page 1)

The judge will probably ask these

JUDGE ASKS: **Who owns the house?**
YOU SAY: **"Nedhal Thwaini and I."**
SHOW: Paper #5

JUDGE ASKS: **What was the agreement?**
YOU SAY: **"A written lease from August 15, 2025. Rent $1,900, due on the 1st. Late fee $25 a day after the 5th."**
SHOW: Paper #1

JUDGE ASKS: **Who signed the lease?**
YOU SAY: **"Mr. Spencer signed it. Amber Andersen and Joyce Laravie lived there but did not sign."**
SHOW: Paper #1

JUDGE ASKS: **How did he get the notice?**
YOU SAY: **"I mailed it to the house on September 28, 2026, by _____ mail. I did not keep a receipt."**
SHOW: Paper #2

JUDGE ASKS: **How do you know he got it?**
YOU SAY: **"He texted me back. He wrote 'Can't resign?'"**
SHOW: Paper #3 (texts)

5 EASY QUESTIONS (page 2)

The judge will probably ask these

JUDGE ASKS: **Did he pay October rent?**
YOU SAY: **"No." (He paid something? Say the true amount and date.)**
SHOW: Paper #4

JUDGE ASKS: **Did you take any money after the notice?**
YOU SAY: **"No." (Only if true.)**

JUDGE ASKS: **How much does he owe?**
YOU SAY: **Read the money page, Section 7.**
SHOW: Paper #4

JUDGE ASKS: **Does he still live there?**
YOU SAY: **"No. The gas company called on _____. We went on _____. It was empty."**
SHOW: Paper #7 (photos)

JUDGE ASKS: **Do you have the house and the keys now?**
YOU SAY: **"Yes." / "No." (Say the truth.)**

JUDGE ASKS: **Where is he now?**
YOU SAY: **"I do not know." (Or give his new address if you have it.)**

JUDGE ASKS: **What about the deposit?**
YOU SAY: **"We are holding the $1,600 deposit. We will send him a list of what we take out."**
SHOW: Paper #6

6 HARD QUESTIONS

Less likely. Give facts only. Never blame. Never guess.

JUDGE ASKS: **Why did you go into the house?**

YOU SAY: **"The gas company called on _____. They said the tenants moved out. We went to check. It was empty."**

JUDGE ASKS: **Where are the washer, dryer and fridge?**

YOU SAY: **"They are ours. They were gone when we went in on _____. I do not know who took them."**

SHOW: Receipts or photos, if you have them

JUDGE ASKS: **Did he ask for repairs?**

YOU SAY: **"Yes. Plumbing and lights. The plumber came on October 27."**

SHOW: Paper #8

JUDGE ASKS: **Did you throw away his things?**

YOU SAY: **Say what was left, and where it is now. "I have not thrown anything away." (Only if true.)**

JUDGE ASKS: **Why did you end the lease?**

YOU SAY: **Say the true reason, short: _____**

JUDGE ASKS: **Is $25 a day too much?**

YOU SAY: **"It is in the lease. I accept what the court decides."**

SHOW: Paper #1

JUDGE ASKS: **What about cleaning, junk removal and the windows?**

YOU SAY: **"Can we add those?" (Do not say amounts unless asked.)**

JUDGE ASKS: **What about Amber and Joyce?**

YOU SAY: **"They lived there. They did not sign the lease. They are not in this case."**

JUDGE ASKS: **Did you tell him before you visited the house?**

YOU SAY: **Say the truth for each visit. Do not say "24 hours" unless it is true.**

SHOW: Paper #3 (texts)

7 MONEY

What we ask for. Read slowly from this page.

What	How	Amount
October rent	Due October 1	**$1,900.00**
Late fees, Oct 6 to Oct 31	26 days × $25	**$650.00**
Late fees, Nov 1 to Nov 3	3 days × $25	**$75.00**
Total in our court papers	through Nov 3	**$2,625.00**
Rent for days after Oct 31	$63.33 a day × _____ days (Nov 1 to the day we got the house back)	**$**_____
Deposit we are holding	Not his yet	**$1,600.00**

Ask in this order

1. **October rent: $1,900.** This is the strongest part.
2. **Late fees.** Ask for all of it. Judge says too much? Say: "We accept $650."
3. **Rent for the days after October 31**, until we got the house back.
4. **Court costs.** Show the filing receipt and the constable receipt.

DO NOT say amounts for cleaning ($800), junk removal ($950), windows, appliances or water bill, unless the judge asks. They are **not in our court papers** yet. The judge cannot give them today.

8 AT THE END

When the judge asks "Is there anything else?"

Say these one by one. Check each box.

- ☐ "Your Honor, we ask for the house, if needed, and for the unpaid rent and late fees."
- ☐ "Is the money on another day? What date and time?"
  Date: _____
- ☐ "May we have a copy of today's decision (journal entry)?"
- ☐ "May we ask for our court costs?"
- ☐ "We also have cleaning and repair costs. How can we add them?"
  Answer: _____
- ☐ "If he does not pay, what do we do to collect?"
  Answer: _____

BEFORE YOU LEAVE Go to the clerk's window. Get a copy of the signed decision. Get any paper with the next date.

9 IF SOMETHING GOES WRONG

Find the problem. Do what it says.

IF THIS HAPPENS	DO OR SAY THIS
Toney walks in	Stop. Put this packet away.
Nedhal is not there	"My co-owner cannot be here today. May I continue for myself?"
You need an interpreter	"Your Honor, I need an Arabic interpreter, please. Can the court get one by phone?"
The return of service is not on file	Stay calm. Say: "The constable told us Toney got the papers, in person or on the door. What does the court need?" The judge may move the date. That is OK. Use **Packet 5**.
The judge says the house part does not matter (house is empty)	"Yes, Your Honor. We got the house back on _____. We still ask for the rent and late fees."
The judge says money is another day	Ask: date, time, what to bring. Write it on the front page.
The judge doubts the notice	"I mailed it on September 28. He texted me back about it." Show paper #3. "The October rent does not depend on the notice."
The judge wants more proof of the money	Give paper #4 and the lease. Read Section 7 slowly.
You do not understand	"Could you repeat that, please, Your Honor?"
You disagree with the judge	Do not argue. Say "Yes, Your Honor." Ask the clerk later.

10 PAPERS FOR THE JUDGE (page 1)

The exhibit list + 9 papers. Make 3 copies of everything.

How to set up the papers

1. Put **Exhibit List A** on top (List B is only for Packet 2).
2. Write the paper number and page on the **top right of every page**: "Ex. 3, p. 2".
3. Put a colored tab or sticky note at the start of each exhibit.
4. Count the pages of each exhibit. Write the number in the "Pages" column of the Exhibit List.

How to use it in court

AT THE START **"Your Honor, I have an exhibit list and copies of our exhibits. May I hand them up?" (Give them to the clerk or court officer. Not straight to the judge, unless the judge says so.)**

WHEN ASKED **"That is Exhibit 3, page 2." Then wait while the judge finds it.**

AT THE END **"Your Honor, we ask that Exhibits 1 through 9 be received." ("Received" means the judge accepts them as proof.)**

10 PAPERS FOR THE JUDGE (page 2)

What each paper is, and what to say

#	Paper	When you talk about it, say	Ready?
1	Lease (4 pages)	"Exhibit 1 is the lease we signed with Mr. Spencer on August 15, 2025."	☐
2	Notice to leave (Sept 28)	"Exhibit 2 is the notice I mailed on September 28. I have no mailing receipt."	☐
3	Text messages with Toney (dates showing)	"Exhibit 3 is my texts with Mr. Spencer."	☐
4	Money page (rent + late fees)	"Exhibit 4 is my math."	☐
5	County property record	"Exhibit 5 shows Nedhal Thwaini and I own the house."	☐
6	Deposit record ($1,600)	"Exhibit 6 shows the $1,600 deposit we are holding."	☐
7	Photos of the house (with dates)	"Exhibit 7 is photos I took on _____."	☐
8	Plumber bills and repair texts	Only if the judge asks about repairs.	☐
9	Military form (signed by Rasha)	"Exhibit 9 is my statement about his military status." **Not written yet.**	☐

Keep the original lease and notice in a folder. Give copies. Videos: show on the phone only if the judge says yes.

11 FACTS TO FILL IN

Rasha fills these in before Wednesday. Use pencil if not sure.

Question	Answer
What day did the gas company call? Who called?	
What day did we go to the house? How did we get in?	
Do we have all the keys now?	
What day did we get the house back?	
Did Toney pay any money after September 1? How much? When?	
How was the notice mailed? (regular or certified) To what address?	
Was the notice also sent by text? What day?	
Why did we end the lease? (true reason)	
Washer, dryer, fridge: when bought? Receipts or photos?	
Were the lights fixed? When?	
Did Amber and Joyce also leave? When?	
Toney's new address or phone (if known)	
Toney's full date of birth (for the military form)	
Did we mail the deposit list to Toney? What day?	

A–Z COURT WORDS

Simple meanings

Plaintiff	The person who started the case. That is Rasha and Nedhal.
Defendant	The person the case is against. That is Toney (Antonio Spencer).
Possession / Restitution	Getting the house back.
Default	Toney did not come, so the judge can decide without him.
Judgment	The judge's decision.
Journal entry	The paper the judge signs with the decision.
Return of service	The paper that proves Toney got the court papers.
Sworn in	You promise to tell the truth.
Testify	Tell the judge what happened.
Exhibit	A paper or photo you give the judge as proof.
Notice to vacate	The letter that told Toney to leave by October 31.
Late fee	Extra money because rent was late ($25 a day).
Holdover rent	Rent for the days he stayed after October 31.
Deposit	The $1,600 he paid at the start. We hold it.
Court costs	The fees we paid to the court and the constable.
Moot	It does not matter anymore (for example, the house is already empty).
Continuance	The judge moves the case to another day.
Amend	Change our court papers to add more things (like repairs).
Military form	A signed paper: is Toney in the military? Needed before the judge decides without him.

This packet helps you prepare. It is not legal advice. Nobody who made it is a lawyer. Free legal help: Legal Aid of Nebraska, 877-250-2016. Court clerk (civil): 402-441-7291.