



JUDGE MARGARET O'BRIEN
Justice of the Peace 2-1
140 N Garland Ave
Garland, TX 75040
(214) 643-4773

Petition for Eviction

Case No. _____

Plaintiff(s)/Landlord(s) Property Owner

Vs.

Defendant(s)/Tenant(s) & All Occupants

§ IN THE JUSTICE COURT
§
§ PRECINCT 2, PLACE 1
§
§ DALLAS COUNTY, TEXAS
§
§
§

Plaintiff, being duly sworn on oath, files this written complaint against the above-named Defendant(s) to evict Defendant(s) from Plaintiff's **premises**, which is located in Justice of the Peace Precinct 2 of Dallas County, Texas and which is **described as**:

<i>Defendant's Full Street Address, & Apt. No. Address</i>	<i>City/ State</i>	<i>Zip Code</i>	<i>Phone Number</i>	<i>Email</i>
--	--------------------	-----------------	---------------------	--------------

Attorney fees *(if an attorney is appearing)* \$ _____

Rent due and unpaid through the date of Court is \$ _____

The monthly rent is \$ _____

Government subsidy *(check one)*, the tenant:

☐ **DOES** receive a government subsidy in the amount of \$ _____

☐ **DOES NOT** receive a government subsidy

Plaintiff and Defendant(s) have established a **landlord tenant** relationship by: *(check one)* ☐ a written lease or agreement, ☐ an oral agreement, ☐ occupancy after foreclosure sale, ☐ occupancy after contract for deed default, or ☐ *(other)* _____

GROUND FOR EVICTION

The grounds for eviction are: *(check all that apply)* ☐ non-payment of rent, ☐ holding over, ☐ non-rent default by *(describe default)* _____

☐ Unpaid rent. Defendant(s) failed to pay rent for the following period: _____
Defendant ☐ has or ☐ has not been late/delinquent in paying rent before the month in which notice was given.
Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial

PRE-SUIT NOTICE: Plaintiff has given Defendant(s) a ☐ notice to vacate ☐ notice to pay or vacate (according to Property Code § 24.005(f-3) or (f-4)) and demand for possession. Such notice was delivered on _____, 20____ by this method: _____

AFFIDAVIT OF MILITARY STATUS

_____ Defendant, **IS NOT** in military service.

_____ Defendant, **IS** in military service and/or is subject to the Service members Civil Relief Act.

I know this because _____

_____ I am **unable to determine** whether or not the Defendant is in military service.

PRAYER

Plaintiff requests a judgment for Plaintiff(s) against Defendant(s) for possession of the above-described premises, rent accrued through the date of judgment, reasonable attorney fees upon appearance of an attorney, costs of court, and post-judgment interest at the highest legal rate.

Unsworn Declaration

(Texas Civil Practice and Remedies Code, Section 132.001)

I am the _____ Plaintiff/Agent _____ Attorney of Record for the Plaintiff in this proceeding

Printed Name

Street Address/City/ State/Zip

Phone Number/Fax Number/Email Address

I declare under penalty of perjury that all information in the attached document titled, **Petition for Eviction**, is true and correct.

Penalty for making or using a false affidavit – a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in title 18 United States Code, or imprisoned for not more than one year, or both.

Signature

Date

If it appears that the defendant is in military service the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If the court is unable to determine if the defendant is in military service, the court may require the plaintiff to file a bond in an amount approved by the court.

You may access the public website: <https://scra.dmdc.osd.mil/>
This website will provide the current active military status of an individual.