
Plaintiff

V.

Defendant(s)

Rental Subsidy (if any) \$ _____ Tenant's Responsibility \$ _____ Total Monthly Rent \$ _____

PETITION – EVICTION CASE

COMPLAINT: Plaintiff (Landlord) hereby complains of the defendant(s) named above for eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

Street Address	Unit No. (If any)	City	State	Zip
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1. **SERVICE OF CITATION:** Service is requested on defendants by personal service at home or work or by **alternative service** as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are: _____

2. **UNPAID RENT AS GROUNDS FOR EVICTION:** Defendant(s) failed to pay rent for the following time period(s): _____ **TOTAL DELINQUENT RENT AS OF DATE OF FILING IS: \$ _____**
Plaintiff reserves the right to orally amend their petition to reflect current amount owed.

3. **HOLDOVER/ OTHER LEASE VIOLATIONS:** (lease expiration date /list lease violations) _____

4. **NOTICE TO VACATE:** Plaintiff has given defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the _____ day of _____ and delivered in person to the tenant(s). in person to an occupant at least sixteen years of age. by mail. by affixing to the inside of the main entry door. other _____

5. **ATTORNEY'S FEES:** Attorney's name, address, and phone & fax numbers are: _____
Hourly Rate: \$ _____ Hours Worked: _____ Amount Requested: \$ _____

6. **BOND FOR POSSESSION:** Yes No - If Plaintiff has filed a bond for possession, plaintiff requests (1) that the amount of plaintiff's bond and defendant's counter bond be set, (2) that plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s).

7. **REQUEST FOR JUDGMENT:** Plaintiff prays that defendant(s) be served with citation and that plaintiff have judgment against defendant(s) for: possession of premises, including removal of defendants and defendants' possessions from the premises, unpaid rent IF set forth above, attorney's fees, court costs, and interest on the above sums at the rate stated in the rental contract, or if not so stated, at the statutory rate for judgments under Civil Statutes Article 5069-1.05.

I hereby request a jury trial. The fee is \$22 and must be paid at least 3 days before trial.
 I hereby consent for all filings related to this case be sent to my email address as follows: _____

Plaintiff's Printed Name _____

Plaintiff/Agent/Attorney Signature _____

Defendant's Information (if known):

Date of birth: ___/___/___

Last three digits of Driver License: _____

Address of Plaintiff/Agent/Attorney

Last three digits of Soc. Sec. No.: _____

Phone & Fax No. of Plaintiff/Agent/Attorney

Phone No.: _____

Sworn to and subscribed before me this _____ day of _____ 20____

CLERK OF THE JUSTICE COURT OR NOTARY

DOCKET NO. _____ DEFENDANT'S NAME: _____

AFFIDAVIT

SERVICE MEMBERS CIVIL RELIEF ACT SEC. 201 (b)

***To VERIFY Military Status go to website: <https://scra.dmdc.osd.mil/scra/#/home>**

PLAINTIFF BEING DULY SWORN ON HIS OATH DEPOSES AND SAYS UNDER PENALTY OF PERJURY THAT
DEFENDANT: **(Please select ONE for DEFENDANT)**

_____ IS IN THE MILITARY SERVICE AND ON ACTIVE DUTY IN A FOREIGN COUNTRY

OR

_____ IS IN THE MILITARY SERVICE AND NOT ON ACTIVE DUTY IN A FOREIGN COUNTRY

OR

_____ IS NOT IN THE MILITARY SERVICE

*(In addition to this affidavit, you MUST provide proof of military status before a default judgment can be rendered).

OR

_____ HAS WAIVED HIS RIGHTS UNDER THE SERVICE MEMBERS RELIEF ACT OF 2003

OR

_____ PLAINTIFF IS UNABLE TO DETERMINE WHETHER OR NOT DEFENDANT IS IN MILITARY SERVICE AT THIS TIME

*(In addition to this affidavit, you MUST provide proof of military status before a default judgment can be rendered).

***I am not providing proof of military status from the governmental website as required by Sec. 201 (50 U.S.C. app. §521) because:**



SIGNATURE OF PLAINTIFF/AGENT/ATTORNEY FOR PLAINTIFF

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20____.

CLERK OF THE JUSTICE COURT
NOTARY PUBLIC IN AND FOR STATE OF TEXAS (STRIKE ONE)

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

Justice Court Civil Case Information Sheet (9/1/13)

Cause Number (for Clerk use ONLY) _____ - _____ **E**

STYLED _____

v.

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleadings or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:	2. Names of parties in case:
Name: _____ Address: _____ City, State, Zip: _____ Email: _____ Phone: _____ Fax: _____ State Bar Number: _____ Signature: _____	Plaintiff(s): _____ _____ Defendant(s): _____ _____ _____ [Attach additional page as necessary to list ALL parties]
3. Indicate case type, or identify the most important issue in the case (select only 1):	
<input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$20,000, excluding statutory interest and court costs but including attorney fees, if	<input type="checkbox"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$20,000, excluding statutory interest and court costs but including attorney fees, if any.
<input type="checkbox"/> Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	<input type="checkbox"/> Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$20,000, excluding statutory interest and court costs but including attorney fees, if any.

