

\_\_\_\_\_  
Plaintiff

V.

\_\_\_\_\_  
Defendant(s)

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

- 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: \_\_\_\_\_
  - 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.**
  - HOLDOVER/ OTHER LEASE VIOLATIONS:** (lease expiration date /list lease violations) \_\_\_\_\_
  - 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 \_\_\_\_\_
  - ATTORNEY'S FEES:** Attorney's name, address, and phone & fax numbers are: \_\_\_\_\_  
Hourly Rate: \$ \_\_\_\_\_ Hours Worked: \_\_\_\_\_ Amount Requested: \$ \_\_\_\_\_
  - 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).
  - 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: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
Address of Plaintiff/Agent/Attorney

Last three digits of Driver License: \_\_\_\_\_

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:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Sign Here** 

\_\_\_\_\_  
**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.

**\*\*CERTIFICATE OF LAST KNOWN ADDRESS\*\***

In strict compliance with Rule 503.1(d), Texas Rules of Civil Procedure, it is hereby certified that the last known mailing address of Defendant is as follows:

\_\_\_\_\_  
**\*\*DEFENDANT'S ADDRESS**

CITY, STATE, AND ZIP CODE

**Sign Here** 

\_\_\_\_\_  
**SIGNATURE OF PLAINTIFF/AGENT/ATTORNEY FOR PLAINTIFF**

# 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: _____	Plaintiff(s): _____
Address: _____	_____
City, State, Zip: _____	_____
Email: _____	Defendant(s): _____
Phone: _____	_____
Fax: _____	_____
State Bar Number: _____	_____
Signature: _____	[Attach additional page as necessary to list ALL parties]
<b>3. Indicate case type, or identify the most important issue in the case (select only 1):</b>	
<input type="checkbox"/> <b>Debt Claim:</b> 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"/> <b>Eviction:</b> 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"/> <b>Repair and Remedy:</b> 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"/> <b>Small Claims:</b> 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.