

PETITION: DEBT CLAIM CASE

CASE NO. (court use only) _____

In the Justice Court, Precinct _____, _____ County, Texas

PLAINTIFF _____

VS.
DEFENDANT(S): _____

Defendant(s) Address: _____

COMPLAINT: The basis for the claim which entitles the plaintiff to seek relief against the defendant is:

RELIEF: Plaintiff seeks damages in the amount of \$ _____.

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:
_____.

ADDITIONAL INFORMATION (CASE BASED ON CREDIT CARD, REVOLVING ACCOUNT, OR OPEN ACCOUNT):
Account/Credit Card Name: _____ Account Number (may be masked): _____
Date of Issue/Origination: _____ Date of Charge-Off/Breach: _____ Amount Owed \$ _____ as of _____

ADDITIONAL INFORMATION (CASE BASED ON PROMISSORY NOTE OR OTHER PROMISE TO PAY PERSONAL OR BUSINESS LOAN):
Date/Amount of Original Loan: _____, \$ _____ Repayment Accelerated? _____ Date Final
Payment Due: _____ Amount Due on Final Payment Date \$ _____ Amount Due \$ _____ as of _____

ONGOING INTEREST: Plaintiff does, or does not seek ongoing interest. If so, this interest is based on the following contractual/statutory reason: _____ and should be at _____%. \$ _____ of interest was due as of _____.

ASSIGNMENT OF CLAIM: Plaintiff was, or was not assigned or otherwise transferred this claim. If so, the original claimant/creditor was _____, subsequent holders were _____ and the date the case was assigned/transferred to plaintiff was _____.

If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address: _____.

Petitioner's Printed Name Signature of Plaintiff or Attorney

DEFENDANT(S) INFORMATION (if known):

Address of Plaintiff's Attorney, if any, or Plaintiff if none
DATE OF BIRTH: _____

City State Zip
LAST 3 NUMBERS OF DRIVER LICENSE: _____
LAST 3 NUMBERS OF SOCIAL SECURITY: _____
DEFENDANT'S PHONE NUMBER: _____
Phone & Fax No. of Plaintiff's Attorney, if any, or Plaintiff if none

Instructions: The Servicemembers Civil Relief Act applies to a civil proceeding in the Justice Courts. Before entering a default judgment against an individual defendant, the plaintiff must file with the court an affidavit stating whether or not the defendant is in the military service, showing necessary facts to support the affidavit, or stating that the plaintiff is unable to determine whether or not the defendant is in military service, if that is the case. The requirement for an affidavit may be satisfied by a written, signed document declared to be true under penalty of perjury. 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 plaintiff to file a bond in an amount approved by the court. A person who makes or uses an affidavit under this Act knowing it to be false, may be fined or imprisoned or both. 50 U.S.C. App. 501 et seq. To obtain certificates of service or non-service under the Servicemembers Civil Relief Act, you may access the public website: <https://scra.dmdc.osd.mil/scra/#/home>. This website will provide the current active military status of an individual

CAUSE NO. _____

Plaintiff		§ In the Justice Court of
vs.		§ Gregg County, Texas
Defendant		§ Precinct 2

Before me, on this day personally appeared, _____
 Who, under penalty of perjury, stated that the following facts are true:
 I am the Plaintiff attorney of record for the Plaintiff in this proceeding.

**MILITARY STATUS AFFIDAVIT
 SERVICEMEMBERS CIVIL RELIEF ACT SEC. 201(b)**

Plaintiff being duly sworn on his oath deposes* and says that defendant is (are): (Check One)

- () not in the military
- () not on active duty in the military and/or
- () not in a foreign country on military service
- () on active military duty and/or is subject to the Service Members Relief Act of 2003
- () defendant has waived his/her rights under the Service Members Relief Act of 2003
- () Military status is unknown at this time

I know this status because:

PLAINTIFF

DATE

Sworn to and subscribed before me on this the _____ day of _____, 20__.

 Notary of Public, State of Texas

OR

 Clerk of Court

***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.**

REQUEST FOR HEARING FOR DEFAULT JUDGMENT
Tex. Rules of Court 503.1

Instructions: A plaintiff who seeks a default judgment against a defendant **must** request a hearing, orally or in writing. The plaintiff must appear at the hearing and provide evidence of damages. If the plaintiff proves its damages, the judge must render judgment for the plaintiff in the amount proven. If the plaintiff is unable to prove its damages, the judge must render judgment in favor of the defendant.

The plaintiff requesting a default judgment must provide to the clerk in writing a certificate of last known mailing address of the defendant(s) at or before the time the judgment is signed.

CAUSE NO. _____

_____ PLAINTIFF(S)	
VS.	§ IN THE JUSTICE COURT
_____ DEFENDANT(S)	§ PRECINCT 2
	§ GREGG COUNTY, TEXAS

Plaintiff, _____, requests that the Court set a hearing for Default Judgment.

Respectfully submitted,

Signature of Plaintiff

Printed Name: _____

Address: _____

Telephone: _____

Fax Number: _____

Signature of Attorney for Plaintiff

Printed Name: _____

State Bar No.: _____

Address: _____

Telephone: _____

Fax Number: _____