

PETITION: EVICTION CASE

In the Justice Court, Precinct ____ Gregg County, Texas

CAUSE NO. (court use only) _____ COURT DATE: _____

PLAINTIFF _____ (Landlord/Property Name)	Rental Subsidy (if any) \$ _____
VS.	Tenant's Portion \$ _____
DEFENDANT(S): _____	TOTAL MONTHLY RENT \$ _____

COMPLAINT: Plaintiff hereby sues the following Defendant(s): _____
_____ for eviction from
Plaintiff's premises (including storerooms and parking areas) located in the above precinct. The address of the
property is:

Street Address	Unit No. (if any)	City	State	Zip
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GROUND FOR EVICTION: Plaintiff alleges the following grounds for eviction:

- ☐ **Unpaid rent.** Defendant(s) failed to pay rent for the following time period(s):
_____. The amount of rent claimed as of the date of filing is:
\$ _____. 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.
- ☐ **Other lease violations.** Defendant(s) breached the terms of the lease (other than by failing to pay rent) as
follows: _____
_____.
- ☐ **Holdover.** Defendant(s) are unlawfully holding over by failing to vacate at the end of the rental term or
renewal of extension period, which was _____, 20__.

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 _____, 20__
by this method: _____.

SUIT FOR RENT: Plaintiff ☐ does or ☐ does not include a suit for unpaid rent.

ATTORNEY'S FEES: Plaintiff ☐ will be or ☐ will not be seeking applicable attorney's fees. The attorney's name,
address, phone and fax numbers are: _____.

IMMEDIATE POSSESSION BOND: If Plaintiff has filed a bond for immediate possession, Plaintiff requests that: (1)
the Court set the amount of the bond; (2) the Court approve the bond; and (3) proper notices, as required by the
Texas Rules of Civil Procedure, are given to Defendant(s).

SERVICE OF CITATION: Service is requested on Defendant(s) by: personal service at home or work, or by delivery to a person over the age of 16 years at Defendant's usual place of residence. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other home or work addresses where Defendant(s) may be served are:

_____.

Plaintiff knows of no other home or work addresses of Defendant(s) in this county.

RELIEF: Plaintiff requests that Defendant(s) is served with the citation and that Plaintiff is awarded a judgment against Defendant(s) for: possession of the premises, including removal of Defendant(s) and Defendant's 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 lease, or if not so stated, at the statutory rate for judgments.

- ☐ I hereby request a jury trial. The fee is \$22 and must be paid at least 3 days before trial.
- ☐ I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows: _____.

Petitioner's Printed Name

Signature of Plaintiff (Landlord/Property Owner) or Agent

DEFENDANT(S) INFORMATION (if known):

Address of Plaintiff (Landlord/Property Owner) or Agent

DATE OF BIRTH: _____

LAST 3 NUMBERS OF DRIVER LICENSE: _____

LAST 3 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE NUMBER: _____

City State Zip

Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent

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

CLERK OF THE JUSTICE COURT OR NOTARY

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

vs.

Defendant

§ In the Justice Court of

§ Gregg County, Texas

§ 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____.

OR

Notary of Public, State of Texas

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.**