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

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT 4
	§	
_____	§	
DEFENDANTS	§	GREGG COUNTY, TEXAS

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 of2003
( ) 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**.

REV 7-23-18/jw