

CAUSE NO. _____

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT 4
	§	
_____	§	
DEFENDANT	§	NACOGDOCHES COUNTY, TEXAS

PETITION – EVICTION CASE

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

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: \$_____. The monthly rent amount 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__.
- Other.** _____

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:

Plaintiff's Printed Name

Signature of Plaintiff or Agent or Attorney

Defendant's Information (if known):

Date of birth: _____

Last three digits of Driver License: _____

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

Phone No.: _____

Address of Plaintiff or Agent or Attorney

Phone & Fax No. of Plaintiff/Agent/Attorney

SWORN TO AND SUBSCRIBED on _____, 20____

CLERK OF THE JUSTICE COURT OR NOTARY

Cause No. _____

PLAINTIFF

IN THE JUSTICE COURT

VS.

PCT. 4

DEFENDANT

NACOGDOCHES COUNTY

AFFIDAVIT SEC. 201(b)-MILITARY AFFIDAVIT

BEFORE ME, the undersigned authority, on this date personally appeared Plaintiff/Agent for Plaintiff and after being duly sworn upon his oath did dispose and say:

"My name is _____, Plaintiff/Agent for Plaintiff. I am over the age of 18 and of sound mind."

The above named Defendant

{ } is not in the military.

{ } is not on active duty in the military.

{ } is on active military duty and/or is subject to the Service members Civil Relief Act of 2003.

{ } has waived his/her rights under the Service members civil Relief Act of 2003.

{ } military status is unknown at this time.

Further affiant sayeth not.

Plaintiff/Agent Signature

Subscribed and sworn before me, this _____ day of _____ 202 .

Notary/Judge for the State of Texas/Clerk of the 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 State Code, or imprisoned for not more than one year or both.

You can verify military service at <https://scra.dmdc.osd.mil/>

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DEFENDANT	§	NACOGDOCHES COUNTY, TEXAS

Certificate of Last Known Mailing Address

My name is: _____
First Middle Last

I am the Petitioner in this case.

The Respondent's name is: _____
First Middle Last

I certify that the last known mailing address I have for the Respondent is:

Address City State Zip

Respectfully submitted,

Plaintiff's Signature

Date

MILITARY STATUS

1. Google or Search: Servicemembers Civil Release Act Website or go to website: scra.dmdc.osd.mil
2. You will have to agree to US Government Agreement.
3. Select: Single Record Request
4. Create an Account: Type in Username and Password. Security Check: NEXT. Security Questions. Terms of Agreement. ✓ Accept. Submit.
5. You will receive an email for verification.
6. Type in Defendant's date of birth and last name. Accept the Agreement.
7. Click Submit and print out the military status and turn in with the petition.

****Keep in mind, you will only have to provide proof of the Military Status if Defendant does not appear in Court****

This form can be emailed to the office at jp4crt@co.nacogdoches.tx.us.
You must include your case number in the email.