

**PETITION: DEBT CLAIM CASE**

CASE NO. (for court use only) \_\_\_\_\_

In the Justice Court, Precinct 1, Nacogdoches 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 Rules of Practice in Justice Courts. 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 \_\_\_\_\_.

\_\_\_\_\_

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: \_\_\_\_\_

\_\_\_\_\_

\*LAST 3 NUMBERS OF DRIVER'S LICENSE: \_\_\_\_\_

City State Zip

\*LAST 3 NUMBERS OF SOCIAL SECURITY: \_\_\_\_\_

\_\_\_\_\_

DEFENDANT'S PHONE NUMBER: \_\_\_\_\_

Phone & Fax No. of Plaintiff's Attorney, if any, or Plaintiff if none

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 is rendered.)

- I am not providing proof of military status from the governmental website because:

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



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

SUBSCRIBED AND SWORN TO ME BEFORE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT/NOTARY REPUBLIC

Penalty for making or using false affidavit- A person who makes or uses an affidavit known to be false, shall be fined as provided in title 18 United States Code, or imprisoned for not more than a 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



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

## MILITARY STATUS

1. Go to [https://www.dmdc.osd.mil/appj/scra/single\\_record.xhtml](https://www.dmdc.osd.mil/appj/scra/single_record.xhtml) for SCRA Single Record Request-DMDC. (This will indicate that your connection is not private. You will click on **advance** on the bottom left, then **click proceed to [www.dmdc.osd.mil](http://www.dmdc.osd.mil) (unsafe)** ).

(Google: Department of Defense, search military status)

2. Type in Defendant's date of birth or social security number. On the second section, you will have to enter last name, then first.
3. Click Submit and print out the military status and turn in with the Petition

## JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

**CAUSE NUMBER (FOR CLERK USE ONLY):** \_\_\_\_\_

**STYLED** \_\_\_\_\_

(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 pleading 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:										
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Name: _____</td> <td style="width: 50%; border: none;">Telephone: _____</td> </tr> <tr> <td style="border: none;">Address: _____</td> <td style="border: none;">Fax: _____</td> </tr> <tr> <td style="border: none;">City/State/Zip: _____</td> <td style="border: none;">State Bar No: _____</td> </tr> <tr> <td style="border: none;">Email: _____</td> <td></td> </tr> <tr> <td style="border: none;">Signature: _____</td> <td></td> </tr> </table>	Name: _____	Telephone: _____	Address: _____	Fax: _____	City/State/Zip: _____	State Bar No: _____	Email: _____		Signature: _____		Plaintiff(s): _____ _____ Defendant(s): _____ _____ _____ [Attach additional page as necessary to list all parties]
Name: _____	Telephone: _____										
Address: _____	Fax: _____										
City/State/Zip: _____	State Bar No: _____										
Email: _____											
Signature: _____											
3. Indicate case type, or identify the most important issue in the case (select only 1):											
<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 \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	<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 \$10,000, 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 \$10,000, excluding statutory interest and court costs but including attorney fees, if any.										