

**PETITION: SMALL CLAIMS CASE**

CASE NO. (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 \$ \_\_\_\_\_, and/or return of personal property as described as follows (be specific): \_\_\_\_\_, which has a value of \$ \_\_\_\_\_.

Additionally, plaintiff seeks the following: \_\_\_\_\_  
\_\_\_\_\_.

SERVICE OF CITATION: Service is requested on defendant(s) 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: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Petitioner's Printed Name

\_\_\_\_\_  
Signature of Plaintiff or Attorney

DEFENDANT(S) INFORMATION (if known)

\_\_\_\_\_  
Address of Plaintiff's Attorney, if any, Plaintiff if none

DATE OF BIRTH: \_\_\_\_\_

\_\_\_\_\_  
CITY STATE ZIP

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

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

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

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

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. Google or Search: Department of Defense Military Status or go to website: [www.dmdc.osd.mil](http://www.dmdc.osd.mil) , click **SCRA**.
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. Email 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\*\***