

PETITION: EVICTION CASE

CASE NO. _____

With Suit for Rent

COURT DATE: _____

PLAINTIFF _____
(Landlord/Property Name)

In the Justice Court, Precinct 1 Nacogdoches County, Texas

VS
DEFENDANT(S) _____

Rental Subsidy (if any) \$ _____
Tenant's Portion \$ _____
Total Monthly Rent \$ _____

COMPLAINT: Plaintiff (Landlord) hereby complains of the defendant(s) named above for the eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

Street Address Unit No. (If any) City State Zip
1. SERVICE OF CITATION: Service is requested on defendants 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:

2. UNPAID RENT AS GROUNDS FOR EVICTION: Defendant(s) failed to pay rent for the following period(s): _____ . TOTAL DELINQUENT FOR RENT AS OF DATE OF THE 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

3. OTHER GROUNDS FOR EVICTION/LEASE VIOLATION: Lease Violation (if other than non-paid rent-list lease violations)

4. HOLDOVER AS GROUNDS FOR EVICTION: Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal of extension period, which was the ____ day of _____, 20____.

5. 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 the ____ day of _____, 20__ and delivered by this method: _____

6. ATTORNEY'S FEES: Plaintiff will be or will NOT be seeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are: _____

7. BOND FOR POSSESSION: If Plaintiff has filed a bond for possession, plaintiff requests (1) that the amount of plaintiff's bond and defendant's counter bond be set (2) that plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s).

REQUEST FOR JUDGMENT: Plaintiff prays that the defendant(s) be served with citation and that plaintiff have judgment against defendant(s) for: possession of premises, including removal of defendants 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 rental contract, or if not so stated, at the statutory rate for judgments under Civil Statues Article 5069-1.05.

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: _____

City State Zip

*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 (Landlord/Property Owner) or Agent

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 , 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****