

CAUSE NO. _____

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT NO. THREE
	§	
_____	§	
RESPONDENT(S)	§	MONTGOMERY COUNTY, TEXAS

PETITION: SMALL CLAIMS CASE

Respondent(s) address: _____

COMPLAINT: The basis for the claim which entitles Plaintiff to seek relief against Respondent is: _____

RELIEF: Plaintiff seeks: damages in the amount of \$_____, 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 Respondent(s) by: personal service at home or work, registered mail, certified mail, return receipt requested. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other addresses where Respondent(s) may be served are _____

I hereby request a jury trial. The fee is \$22 and must be paid at least 14 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 Plaintiff's Attorney

Respondent'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 Plaintiff's Attorney

City State Zip

Phone & Fax No. of Plaintiff
or Plaintiff's Attorney

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-w.dmdc.osd.mil/scra/#/home>. This website will provide the current active military status of an individual.

Military Status Affidavit

Cause No. _____

Plaintiff

vs

Respondent

§ In The Justice Court of

§

§ Precinct No. Three

§

§ Montgomery County, Texas

Plaintiff being duly sworn on oath deposes and says that respondent(s) is (are)
 (CHECK ONE)

not in the military

on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003

Certificate of Last Known Address – Texas Rules of Civil Procedure, Rule 503.1(d) requires a certificate of last known address be filed when requesting a default judgment.

Signed on _____.

Signature

Printed Name: _____

Address: _____

Telephone: _____

Fax: _____

E-Mail Address: _____

SWORN TO AND SUBSCRIBED BEFORE ME on _____.

 Clerk of the Justice Court -or- Notary Public in and for the State of Texas (STRIKE ONE)