

CAUSE NO. \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF

§ IN THE JUSTICE COURT  
§

VS.

§  
§ PRECINCT NO. THREE  
§

\_\_\_\_\_  
RESPONDENT

§  
§ MONTGOMERY COUNTY, TEXAS  
§

**PETITION: DEBT CLAIM CASE**

**RESPONDENT(S) ADDRESS:** \_\_\_\_\_

**COMPLAINT:** Plaintiff files this suit against Respondent based upon the following facts:

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

**RELIEF:** Plaintiff seeks damages in the amount of \$ \_\_\_\_\_

**SERVICE OF CITATION:** Service is requested on Respondent(s) by:

- Personal service at home or work,
- 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: \_\_\_\_\_

**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 \_\_\_\_\_

**ONGOING INTEREST:** Plaintiff  does or  does not seek ongoing interest. If so: The effective interest rate claimed is \_\_\_\_\_%; this interest rate is based upon  contract  statute and began accruing on \_\_\_\_\_; the dollar amount of interest claimed as of \_\_\_\_\_ is \$\_\_\_\_\_.

**ADDITIONAL INFORMATION** (case based on promissory note/other promise to pay personal/business loan):

Date/Amount of Original Loan: \_\_\_\_\_, \$ \_\_\_\_\_. Repayment Accelerated? \_\_\_\_\_

Date Final Payment Due: \_\_\_\_\_. Amount Due on Final Payment Date: \$ \_\_\_\_\_

Amount Owed: \$ \_\_\_\_\_ 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 \_\_\_\_\_

The date the debt was assigned/transferred to Plaintiff was \_\_\_\_\_

**JURY REQUEST**

I request a jury trial. (The fee is \$22 and must be paid at least 14 days before trial.)

I do not request a jury at this time.

**SERVICE BY EMAIL:** If you choose to get documents by email, you must have an email account where you can receive, open, and view large attachments, and it is important that you check this email account every day. I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows:

\_\_\_\_\_

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Plaintiff's Printed Name

\_\_\_\_\_  
Signature of Plaintiff/Plaintiff's Attorney

**Respondents Information (if known):**

Date of Birth: \_\_\_\_\_

Last 3 of Driver License: \_\_\_\_\_

Last 3 of SSN: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email address: \_\_\_\_\_

\_\_\_\_\_  
Mailing Address of Plaintiff/Plaintiff's Attorney

\_\_\_\_\_  
Email address of Plaintiff/Plaintiff's Attorney

\_\_\_\_\_  
City State Zip

**Respondents Information (if known):**

Date of Birth: \_\_\_\_\_

Last 3 of Driver License: \_\_\_\_\_

Last 3 of SSN: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email address: \_\_\_\_\_

\_\_\_\_\_  
Phone Number of Plaintiff/Plaintiff's Attorney

\_\_\_\_\_  
Attorney Bar Number, if applicable

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§ MONTGOMERY COUNTY, TEXAS

**MILITARY STATUS AFFIDAVIT**

**Instructions:** The Servicemember’s Civil Relief Act applies to a civil proceeding in the Justice Courts. Before entering a default judgment against an individual respondent, the plaintiff must file with the court an affidavit stating whether or not the respondent is in military service. If it appears that the respondent is in military service, the court may not enter a judgment. To obtain certificates of service or non-service under the Servicemember’s Civil Relief Act, you may access the public website: <https://www.dmdc.osd.mil/applj/scra/scraHome.do>. This website will provide the current active military status of an individual.

Plaintiff being duly sworn under oath swears that Respondent is: (*check one*)

- not on active duty in the military
- on active military duty and/or is subject to the Servicemember’s 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.

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

Date: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff’s Printed Name

\_\_\_\_\_  
Plaintiff’s Signature or Plaintiff’s Attorney

**SWORN TO AND SUBSCRIBED** before me on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY