

CAUSE NO. _____

PLAINTIFF

§ IN THE JUSTICE COURT
§
§

VS.

§ PRECINCT NO. THREE
§

RESPONDENT

§
§ MONTGOMERY COUNTY, TEXAS

PETITION: EVICTION CASE

COMPLAINT: Plaintiff hereby sues the following Respondent(s):

_____ for eviction from Plaintiff's premises located in the above precinct. The address of the property is:

Street Address Unit No. (if any) City State Zip

GROUND FORS FOR EVICTION: Plaintiff alleges the following grounds for eviction:

- Unpaid rent.** Respondent(s) failed to pay rent for the following time period(s): _____ The amount of rent claimed as of the date of 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.
- Other lease violations.** Respondent(s) breached the terms of the lease (other than failing to pay rent) as follows: _____
- Holdover.** Respondent(s) are unlawfully holding over by failing to vacate at the end of the rental term, which was on _____, 20__.

NOTICE TO VACATE: Plaintiff has given Respondent (s) a written notice to vacate (*according to Property Code § 24.005*) and demand for possession. Such notice was delivered on _____, 20__ by this method: _____

SUIT FOR RENT: Plaintiff does or does not include a suit for unpaid rent.

ATTORNEY'S FEES: Plaintiff will be or will not be seeking applicable attorney's fees.

IMMEDIATE POSSESSION BOND: If Plaintiff has filed a bond for immediate possession, Plaintiff requests that: the court set the amount of the bond, the court approve the bond, and proper notices, as required by the Texas Rules of Civil Procedure, are given to Respondent(s).

JURY REQUEST

- I request a jury trial. (*The fee is \$22 and must be paid at least 3 days before trial.*)
- I do not request a jury at this time.

SERVICE OF CITATION: Service is requested on Respondent(s) by: personal service at home or work, or by delivery to a person over the age of 16 years at Respondent's usual place of residence. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other home or work addresses where Respondent(s) may be served are:

RELIEF: Plaintiff requests that Respondent(s) is served with the citation and that Plaintiff is awarded a judgment against Respondent(s) for: possession of the premises, including removal of Respondent(s) and Respondent'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 lease, or if not so stated, at the statutory rate for judgments.

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

SWORN TO AND SUBSCRIBED before me on _____, 20_____.

CLERK OF THE JUSTICE COURT OR NOTARY

CAUSE NO. _____

PLAINTIFF

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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