

CAUSE NO. _____

PLAINTIFF

§ IN THE JUSTICE COURT

§

§

VS.

§ PRECINCT NO. THREE

§

§

RESPONDENT

§ MONTGOMERY COUNTY, TEXAS

PETITION: SMALL CLAIMS CASE

RESPONDENT(S) ADDRESS: _____

COMPLAINT: Plaintiff files this suit against respondent(s) based upon the following facts:

RELIEF: Plaintiff seeks: damages in the amount of \$_____, return of personal property as described as follows (*be specific*): _____, which has a value of \$_____.

Plaintiff seeks the following: Judgment against respondent(s) Court Costs Attorney Fees

Pre-Judgment Interest Post-Judgment Interest at the Current Rate

SERVICE OF CITATION: Service is requested on respondent(s) at home or work by

Personal Service

Certified Mail

If the respondent(s) needs to be served at an alternate address, as the Texas Rules of Civil Procedure allow, below is an alternate address where they can be served (*additional fees will be incurred*):

SERVICE BY EMAIL: If you wish to give your consent for the answer and any other pleadings to be emailed to you, provide your email address below:

Plaintiff's Printed Name

Signature of Plaintiff or Attorney

Respondents Information (if known):

Date of Birth: _____

Last 3 of Driver License: _____

Last 3 of SSN: _____

Phone Number: _____

Address of Plaintiff or Attorney

City

State

Zip

Phone Number of Plaintiff or Attorney

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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 Attorney

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

CLERK OF THE JUSTICE COURT OR NOTARY