

Case No. \_\_\_\_\_

_____	§	<b>In the Justice Court</b>
<i>Plaintiff(s)/Landlord(s) (Actual Landlord)</i>	§	
_____	§	<b>Precinct 4</b>
	§	
_____	§	<b>County of Tom Green</b>
<i>List all Defendant(s)/Tenant(s) for which eviction is sought</i>	§	
_____	§	<b>State of Texas</b>

## PETITION for EVICTION

(For all addresses, you **MUST include** number, street, apartment number, city, state, & zip code.)

**Plaintiff**, being duly sworn on oath, files this written complaint against the above named Defendant(s) to evict Defendant(s) from Plaintiff's **premises**, which is located in Justice of the Peace Precinct 4 of Tom Green County and which is **described as**:

**Plaintiff** requests service of citation by personal service at the previously described premises or by alternate service, if necessary.

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

Plaintiff and Defendant(s) have established a **landlord tenant** relationship by: (*check one*) ☐ a written lease or agreement ☐ an oral agreement, ☐ occupancy after foreclosure sale, ☐ occupancy after contract for deed default, (*Other*) \_\_\_\_\_

Rental Subsidy (if any) \$ \_\_\_\_\_ Tenant's Portion \$ \_\_\_\_\_ **TOTAL MONTHLY RENT** \$ \_\_\_\_\_

**Grounds for eviction** are: (*check*) ☐ **NON-PAYMENT RENT: ☐ I CERTIFY I HAVE NOT RECEIVED A DECLARATION THAT TENANT IS A COVERED PERSON UNDER THE CDC FEDERAL EVICTION MORATORIUM ORDER.**

☐ Holding over ☐ non-rent default (describe default) \_\_\_\_\_

Written **notice to vacate** for the grounds stated above was delivered to Defendant(s) at the above described Premises on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. (*Check*) ☐ in person to the tenant ☐ in person To an occupant at least sixteen years of age ☐ by mail ☐ by affixing to the **inside** of the main entry door.

Thereafter Defendant(s) failed to surrender possession of the above described premises by the date specified in the **notice to vacate** delivered on \_\_\_\_\_ by \_\_\_\_\_ thereby committing a **forcible detainer**.

**Plaintiff requests** judgment for Plaintiff(s) against Defendant(s) for possession of the above described premises, for writ of possession, plus \$ \_\_\_\_\_ rent due and unpaid through today, plus accruing rent at the **daily rate** of \$ \_\_\_\_\_ per day until the date of judgment, plus reasonable attorney fees in the amount of \$ \_\_\_\_\_, plus all costs of court, plus post-judgment interest at the highest legal rate.

### **Defendant/Tenant Information:**

D.O.B. \_\_\_\_\_ I  
SEX \_\_\_\_\_  
RACE \_\_\_\_\_

**X** \_\_\_\_\_  
Landlord, Landlord's authorized Agent, or Landlord's Attorney  
(if Attorney) Bar Card Number \_\_\_\_\_

Address \_\_\_\_\_  
Email \_\_\_\_\_

Phone , \_\_ , \_\_\_\_\_ FAX , - - - - -

**SWORN to and SUSCRIBED** before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal)

(Notary or Clerk of Court) \_\_\_\_\_

# Justice Court Civil Case Information Sheet

**Case No.** (For cLERK use oNL Y): \_\_\_\_\_

**Styled:** \_\_\_\_\_  
(e.g. John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:	2. Names of parties in case:
<p>Name: _____ Telephone: _____</p>	<p>Plaintiff(s): _____</p>
<p>Address: _____ Fax: _____</p>	<p>Defendant(s): _____</p>
<p>City/state/Zip: _____ State Bar No.: _____</p>	<p>_____</p>
<p>Email: _____</p>	<p>_____</p>
<p>Signature: _____</p>	<p>[Attach additional page as necessary to list all parties]</p>
3. Indicate case type, or identify the most important issue in the case (select only 1):	
<p><b>D Debt Claim:</b> A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>	<p><b>Eviction:</b> An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>
<p><b>D Repair and Remedy</b> A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>	<p><b>D Small Claims:</b> A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, or personal property. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>

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## Military Status Affidavit

To verify Active Duty status for military members, as authorized under the Service members Civil Relief Act, please go to the Defense Manpower and Data Center web site. The web address for verification is: [https://www.dmdc.osd.mli/appj/scr\\_a/scraHome.do](https://www.dmdc.osd.mli/appj/scr_a/scraHome.do)

To use either of these services, you will need the individual's social security number as well as some other basic personal data such as legal name and date of birth,

Case No — — — — — In the Justice Court of

Tom Green County, Texas

Plaintiff

vs.

Precinct 4 '

\_\_\_\_\_  
Defendant

BEFORE ME, the undersigned authority, on this day personally appeared  
who, under penalty of perjury, stated that the following facts are true:

I am the Plaintiff attorney of record for the Plaintiff in this proceeding.

, Defendant, is not in military service.

Defendant, is in military service.

I know this because

] I am unable to determine whether or not the Defendant is in military service.

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Attorney of Record for Plaintiff

SWORN TO AND SUBSCRIBED BEFORE ME on \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC, State of Texas

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

I THE JUSTICECOURT

vs.

PRECINCT4

\_\_\_\_\_ TOM GREEN COUNTY, TEXAS

**CERTIFICATE OF LAST KNOWN ADDRESS**

I hereby certify that the last known mailing address of the Defendant,

\_\_\_ , against whom suit is filed in the above

Numbers cause is:

\_\_\_\_\_

\_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_

Plaintiff

- Required before a default judgment may be issued

## MULTIPLE DEFENDANTS

In the case of multiple Defendants only- Must be signed by the Plaintiff

I, Plaintiff \_\_\_\_\_ am aware that pursuant to Texas Rules of Civil Procedure, 510.3(c) "that if the eviction is based on a written lease, then plaintiff must name as defendants all tenants obligated under the lease residing at the premises whom the plaintiff seeks to evict." A judgment or writ of possession may not be issued or executed against a tenant obligated under a lease and residing at the premises who is not named in the Petition and served with a citation. So a Plaintiff may not avoid paying more than one service Fee by trying to sue multiple tenants for eviction; each tenant on the lease must be sued and Served with a citation.

I, Plaintiff \_\_\_\_\_ understand that only the persons that Are individually served a citation naming them will be removed for the premises. With this Understanding, I wish to:

\_\_\_\_ Have a citation issued to all named Defendants and pay appropriate fees for service.  
(Initial)

Have only the Defendant (name) \_\_\_\_\_ served and pay  
(Initial) the appropriate fee for service (Choosing the option will removed the named Defendant only, from the property.)

\_\_\_\_\_  
Plaintiff/Agents Signature

\_\_\_\_\_  
Date