

PETITION: EVICTION CASE

In the Justice Court, Precinct _____, Wilbarger County, Texas

CASE NO. _____

COURT DATE: _____

PLAINTIFF _____

VS:

DEFENDANT(S)
And All Occupants

Rental Subsidy (if any) \$ _____

Tenant's portion \$ _____

TOTAL MONTHLY RENT \$ _____

COMPLAINT: Plaintiff hereby sues the following Defendant(s) (*include name, DOB, and DL number, if known*) _____ for
eviction from Plaintiff's premises (including storerooms and parking areas) located in the above precinct.
The address of the property is

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

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are: -

GROUND FOR EVICTION

1. **UNPAID RENT:** Defendant(s) failed to pay rent for the following time periods: -
_____. **TOTAL DELINQUENT RENT AS OF 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.

2. **OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS:** Lease violation (if other than non-paid rent-list lease violations):

3. **HOLDOVER AS GROUNDS FOR EVICTION:** Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal of extension period, which was the _____ day of _____, 20____.

NOTICE TO VACATE: Plaintiff has given Defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the _____ day of _____, 20____, and delivered by certified mail; regular mail; delivery in person; attaching to inside main entry door.

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. The attorney's name, State Bar No., address, phone and fax numbers are: _____

BOND FOR POSSESSION: If Plaintiff has filed a bond for possession, Plaintiff requests (1) that the amount of Plaintiff's bond and Defendant's counter bond be set, (2) that Plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s).

RELIEF: Plaintiff requests that Defendant(s) is served with the citation and that Plaintiff is awarded a judgment against Defendant(s) for: possession of the premises, including removal of Defendant(s) and Defendant'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.

I hereby request a jury trial. The fee is \$22 and must be paid at least 3 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 Agent or Attorney

Plaintiff's Information:

Address _____

Phone & Fax Number _____

Defendant(s) Information (if known)

Full Name _____ Date of Birth: _____

Address _____

Driver license number _____

Phone number: _____

Sworn to and subscribed before me this ____ day of _____, 20 ____.

CLERK OF THE JUSTICE COURT OR NOTARY

Case No. _____

AFFIDAVIT packet

SECTION 201 {b}

Plaintiff being duly sworn on oath deposes and says that defendant[s]

{ } is not in the military

not on active duty in the military and/or

{ } not in a foreign country on military service

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

{ } defendant has waived his rights under the Service Members Civil Relief Act of 2003.

{ } military status is unknown at this time.

Plaintiff's Signature

Subscribed and sworn to before me on this the _____ day of _____,
20_____.

Notary

Justice Clerk (if signed in the office)

Penalty for making our false affidavit-

a person who makes or uses an affidavit know to be false, shall be fined as provide in title 18 United States Code, or imprisoned for not more than one year, both