

**FILING
INSTRUCTIONS
FOR DEBT
CLAIMS SUIT**

COSTS – LLANO COUNTY

FILING FEE - \$54.00

*(New cases, counter-claims, cross-actions, ODL license hearings)

SERVICE FEE -

CIVIL CITATIONS - \$80.00

EVICITION CITATIONS- \$80.00

CITATION BY PUBLICATION - \$80.00

WRITS -

EXECUTION - \$200.00

SEQUESTRATION - \$200.00

POSSESSION - \$200.00

ATTACHMENT - \$200.00

GARNISHMENT - \$200.00

RESTITUTION - \$200.00

RETRIEVAL - \$200.00

OTHER -

JURY TRIALS - \$22.00

CLERK'S PREPARATION OF WRITS - \$5.00

APPEALS - \$10.00

TRANSCRIPTS FOR APPEALS - \$10.00

***PLEASE NOTE THAT ADDITIONAL FEES OR COSTS MAY APPLY**

PAYMENT METHODS ACCEPTED – MONEY ORDER, CASHIER'S CHECK, CREDIT/DEBIT CARD, OR CASH.

TO FILE SUIT THE FOLLOWING DOCUMENTS WILL BE NEEDED:

- 1). Justice Court Civil Case Information Sheet
- 2). Petition
- 3). Copies of any documents you wish to file with your petition
- 4). Payment of filing fee (MAKE PAYABLE TO LLANO COUNTY)
- 5). Payment of service fee (If service is out of Llano County, please contact the County where service is to be sent and obtain their service fee and mailing address where citation is to be sent)
- 6). If citation is to be sent to a different County please provide a stamped and addressed envelope.

HELPFUL WEBSITES:

Texas Ahead Sheriff's & Constables Fees: <https://ourcpa.cpa.state.tx.us/sacf/feesSearch.jsp>

Texas Legislature Online: <http://www.legis.state.tx.us>

Texas Indigent Defense Commission: <http://www.txcourts.gov/tidc/>

Texas Free Legal Aid: <http://www.TexasLawHelp.Com>

JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

CAUSE NUMBER (FOR CLERK USE ONLY): _____

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:

Name: _____ Telephone: _____
Address: _____ Fax: _____
City/State/Zip: _____ State Bar No: _____

2. Names of parties in case:

Plaintiff(s): _____
Defendant(s): _____

[Attach additional page as necessary to list all parties]

Email: _____

Signature: _____

3. Indicate case type, or identify the most important issue in the case (select only 1):

Debt Claim: 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.

Eviction: 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.

Repair and Remedy: 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 \$20,000, excluding statutory interest and court costs but

Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$20,000.00, excluding statutory interest and court costs but including attorney fees, if any.

CAUSE NO. _____

PLAINTIFF

§
§
§
§
§
§
§

IN THE JUSTICE COURT

v.

PRECINCT NO. _____

DEFENDANT

_____ COUNTY, TEXAS

PETITION: DEBT CLAIM CASE

Defendant(s) address: _____

COMPLAINT: The basis for the claim which entitles Plaintiff to seek relief against Defendant is: _____

RELIEF: Plaintiff seeks damages in the amount of \$ _____

SERVICE OF CITATION: Service is requested on Defendant(s) by: personal service at home or work, registered mail, certified mail, return receipt requested. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other addresses where Defendant(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 _____

ADDITIONAL INFORMATION (CASE BASED ON PROMISSORY NOTE OR OTHER PROMISE TO PAY PERSONAL OR BUSINESS LOAN):

Date/Amount of Original Loan: _____, \$ _____
Repayment Accelerated? _____
Date Final Payment Due: _____
Amount Due on Final Payment Date: \$ _____
Amount Owed: \$ _____ as of _____

ONGOING INTEREST: Plaintiff does or does not seek ongoing interest. If so, this interest is based on the following contractual/statutory reason: _____

_____ and should be at _____%.

\$_____ of interest was due 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 _____

I hereby request a jury trial. The fee is \$22 and must be paid at least 14 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 Plaintiff's Attorney

Defendant's Information (if known):

Date of birth: _____

Last three digits of Driver License: _____

Last three digits of Soc. Sec. No.: _____

Phone No.: _____

Address of Plaintiff or Plaintiff's Attorney

City State Zip

Phone & Fax No. of Plaintiff
or Plaintiff's Attorney

Case No. _____

_____ Plaintiff)	IN THE JUSTICE COURT
VS.)	PRECINCT FOUR
_____ Defendant)	LLANO COUNTY, TEXAS

CERTIFICATE OF LAST KNOWN MAILING ADDRESS

TO THE HONORABLE JUDGE OF SAID COURT:

I being the above named Plaintiff herein, hereby certify to the court that the last known mailing address of the above named Defendant(s) is as follows:

PLAINTIFF

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

NOTARY / CLERK

Notary Public in and for the State of Texas

Clerk of the Justice Court

SEAL

FORM 127 – SERVICEMEMBER’S CIVIL RELIEF ACT
AFFIDAVIT
50 USC Sec. 520

Case No. _____

Plaintiff

VS.

Defendant

) (IN THE JUSTICE COURT
) (PRECINCT FOUR
) (LLANO COUNTY, TEXAS

Plaintiff being duly sworn on oath deposes* and says that defendant(s) is (are)

(CHECK ONE)

- not in the military
- not on active duty in the military and/or
- not in a foreign country on military service
- on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003
- has waived his/her rights under the Servicemembers Civil Act of 2003
- military status is unknown at this time

PLAINTIFF

(Select the applicable title under the signature for the jurat below)

Subscribed and sworn to before me no this the _____ day of _____, 20___

NOTARY / CLERK

- Notary Public in and for the State of Texas
- Clerk of the Justice Court

SEAL

***Penalty for making or using false affidavit – a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in Title 18, United States Code, or imprisoned for not more than one year or both.**



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
LEE	PATRICK		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenseink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID:BJGMYFWBTSNH

OUT OF COUNTY SERVICE INFORMATION

If the person(s)/business you are suing resides in another County it is your responsibility to provide the court with the necessary information so the Citation may be served.

Name of the person you want served _____

Address: _____

City: _____ State: _____

Phone Number: _____

If you desire your Citation to be served in another county in Texas, you must also provide the additional following information:

Name of person to serve Citation (Sherriff Dept. /Constable or other):

Address:

City: _____ State: _____

Phone Number: _____

Service Fee the department or person serving will be charging: _____

This information is to be submitted with your petition along with a stamped and addressed envelope.