

**Petition for Eviction from Residential Premises**

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

_____	§	IN THE JUSTICE COURT OF
Landlord (Plaintiff)	§	Lamar County, Texas, Precinct 5-1
VS.	§	
_____	§	
Tenant (Defendant)	§	

Name of Landlord (provide full legal name): \_\_\_\_\_, referred to as "Plaintiff."

**Tenants.** 1. Name of Tenant (provide full legal name): \_\_\_\_\_

Defendant may be served at (provide street address and telephone number, if known): \_\_\_\_\_

All other home and work addresses of this Defendant in Lamar County that are known to the Plaintiff are: \_\_\_\_\_

Plaintiff knows of no other home or work addresses of this Defendant in Lamar County.

2. Name of Tenant (provide full legal name): \_\_\_\_\_

Defendant may be served at (provide street address and telephone number, if known): \_\_\_\_\_

All other home and work addresses of Defendant in Lamar County that are known to the Plaintiff are: \_\_\_\_\_

Plaintiff knows of no other home or work addresses of this Defendant in Lamar County. Tenant(s) are referred to as "Defendant."

**Premises.** Plaintiff seeks possession of following Premises (describe premises, i.e. house, apartment building, including street address): \_\_\_\_\_

**Grounds for Eviction.** Plaintiff seeks to evict Defendant for the following reason:

**Failure to pay rent:**

Residential Lease:  Written  Oral Beginning date of Lease: \_\_\_\_\_ End date of Lease: \_\_\_\_\_

Rent: \$ \_\_\_\_\_ per \_\_\_\_\_ (e.g. month, week) Date of last rental payment: \_\_\_\_\_

Total amount of rent due and unpaid on date of filing: \$ \_\_\_\_\_

Rent subsidized by government: \$ \_\_\_\_\_ paid by \_\_\_\_\_; \$ \_\_\_\_\_ paid by the Defendant.

**Violation of Lease:** Tenant violated Paragraph No. \_\_\_\_\_ of the Lease by (describe violation): \_\_\_\_\_

**Holding over after termination of right to possession:** Date of notice of termination: \_\_\_\_\_

**Foreclosure:** Plaintiff purchased the Premises at foreclosure on \_\_\_\_\_

Plaintiff intends to live in the Premises as Plaintiff's primary residence.

Defendant is a tenant of the former owner; End date of Lease: \_\_\_\_\_ Rent: \$ \_\_\_\_\_ per \_\_\_\_\_

**Notice to Vacate:** Date Notice to Vacate Delivered: \_\_\_\_\_ Manner of delivery \_\_\_\_\_

**Attorney Fees:** Plaintiff seeks attorney fees as follows:

Contractual: Lease (written) Paragraph No. \_\_\_\_\_ Amount of Attorney Fees claimed: \$ \_\_\_\_\_

Statutory: Written demand to vacate sent on: \_\_\_\_\_ Date received: \_\_\_\_\_ Attorney Fees claims: \$ \_\_\_\_\_

**DEFENDANT(S) INFORMATION (IF KNOWN)**

Email: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Last 3 Numbers of Drivers License: \_\_\_\_\_

Last 3 Numbers of Social Security: \_\_\_\_\_

Defendant's Phone Number

**IMMEDIATE POSSESSION BOND:** If Plaintiff has filed a bond for immediate possession, Plaintiff requests that: (1) the Court set the amount of the bond; (2) the Court approve the bond; and (3) proper notices, as required by the Texas Rules of Civil Procedure, are given to Defendant(s).

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

**The court will not correct any errors.** You may not amend any Petition via phone or email. This is a sworn document.

IF any amendments are needed, the person signing this document must appear in person to amend it. If the citation has been served prior to amending, an additional service fee will be charged for reservice.

Plaintiff requests possession of the Premises, past due rent, if applicable, attorney's fees, if applicable, court costs, and such other and further relief to which Plaintiff may be entitled.

Respectfully submitted,

\_\_\_\_\_  
Signature of Plaintiff, Plaintiff's Attorney or Authorized Agent

\_\_\_\_\_  
Printed Name

Address: \_\_\_\_\_  
\_\_\_\_\_

Daytime Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

State Bar No. \_\_\_\_\_

Plaintiff consents to the e-mail service of the answer and any other motions or pleadings to this e-mail address.

E-Mail Address: \_\_\_\_\_

THE STATE OF TEXAS §  
COUNTY OF LAMAR §

SWORN TO BEFORE ME on \_\_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Notary Public

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

## SERVICEMEMBER'S CIVIL RELIEF ACT 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 defendant, the plaintiff must file with the court an affidavit stating whether or not the defendant is in military service, showing necessary facts to support the affidavit, or stating that the plaintiff is unable to determine whether or not the defendant is in military service, if that is the case. The requirement for an affidavit may be satisfied by a written, signed document declared to be true under penalty of perjury. If it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If the court is unable to determine if the defendant is in military service, the court may require the plaintiff to file a bond in an amount approved by the court. 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/appli/scra/scraHome.do>. This website will provide the current active military status of an individual.

Plaintiff being duly sworn under oath swears that Defendant 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
- has waived in writing his/her rights under the Servicemember's Civil Relief Act of 2003
- military status is unknown at this time

\_\_\_\_\_  
PLAINTIFF

**SWORN TO AND SUBSCRIBED** before me on \_\_\_\_\_, 2025.

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY

*\*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.*