

Small Claims Petition

NO. _____

_____ § In the Justice Court of Lamar County, Texas
 _____ § Precinct _____ Place _____
 Plaintiff(s) (Person filing Petition) §
 vs. §
 _____ §
 _____ §
 Defendant(s) §

Describe the legal nature of the plaintiff (e.g., individual, sole proprietorship, partnership, corporation)

Defendant: _____

Address: _____

City: _____ State: _____ Zip: _____ Date of Birth (if applicable): _____

Last three digits of Drivers License (if known) _____ ; Last three digits of Soc. Sec. No: (if known) _____

Describe the legal nature of the defendant (e.g., individual, sole proprietorship, partnership, corporation)

*Defendant may be served by serving _____
 (state the name of the defendant if defendant is an individual, or state the name and title of the person who is authorized to receive service of process for the defendant if defendant is a partnership, limited partnership, corporation, or limited liability company), who may be served at _____
 (state the address for service of process).

Cause of Action

(State the cause of action in plain and concise language, sufficient to give fair notice of the claim and to provide enough information to enable the defendant to prepare a defense. You may include information showing venue is proper in the Justice of the Peace Precinct in which you are filing. If you are seeking personal property, you must describe the property and state the value of the property.)

Relief Requested Plaintiff seeks damages in the amount of \$ _____, OR return of personal property as described as follows (BE SPECIFIC): _____
 which has a value of \$ _____. Additionally, Plaintiff seeks the following _____

Respectfully submitted,

 Signature of Plaintiff or Plaintiff's Attorney of Record Printed Name: _____
 State Bar No. _____

Address: _____

Telephone: _____ Fax Number: _____

E-Mail Address: _____

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

I hereby request a Jury Trial. The fee is \$22 and must be paid at least 14 days before trial.

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.*