

## 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:		2. Names of parties in case:
Name: _____	Telephone: _____	Plaintiff(s): _____ _____ Defendant(s): _____ _____ _____ [Attach additional page as necessary to list all parties]
Address: _____	Fax: _____	
City/State/Zip: _____	State Bar No: _____	
Email: _____		
Signature: _____		
3. Indicate case type, or identify the most important issue in the case ( <i>select only 1</i> ):		
<input type="checkbox"/> <b>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.	<input type="checkbox"/> <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.	
<input type="checkbox"/> <b>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.	<input type="checkbox"/> <b>Small Claims:</b> 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 \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	

# NOTICE TO VACATE

DATE: \_\_\_\_\_

To: \_\_\_\_\_ and all other occupants:

In accordance with the Statutes of the State of Texas, you are hereby notified and required to quit and deliver up peaceful possession of the premises you now hold, and or pay the amount of rent now due \$\_\_\_\_\_, which said premises are situated and described as follows:

\_\_\_\_\_  
Property Address

\_\_\_\_\_  
City

State

Zip

Should you fail to comply with this request to vacate the said premises by the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, then I shall proceed against you as the laws direct.

Sincerely,

Owner / Authorized Agent

**Plaintiff gave defendant(s) this written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and made demand for possession on the \_\_\_\_\_ day of \_\_\_\_\_ and delivered by this method:** \_\_\_\_\_  
\_\_\_\_\_.

**PETITION: EVICTION CASE**

CASE NO. (Court use only) \_\_\_\_\_  **With suit for Rent** COURT DATE: \_\_\_\_\_ Time: \_\_\_\_\_

In the Justice Court, Precinct 1, Wilson County, Texas

PLAINTIFF \_\_\_\_\_

(Landlord/Property Name)

Rental Subsidy (if any) \$ \_\_\_\_\_

VS. Tenant's Portion \$ \_\_\_\_\_

DEFENDANT(S): \_\_\_\_\_ TOTAL MONTHLY RENT \$ \_\_\_\_\_

\_\_\_\_\_

**COMPLAINT:** Plaintiff (Landlord) hereby complains of the defendant(s) named above for eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

\_\_\_\_\_

<b>Street Address</b>	<b>Unit No. (if any)</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
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1.  **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:

\_\_\_\_\_

2.  **UNPAID RENT AS GROUNDS FOR EVICTION:** Defendant(s) failed to pay rent for the following time period(s): (List Dates & Amounts) \_\_\_\_\_

\_\_\_\_\_. **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.**

3.  **OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS:** Lease Violations (if other than non-paid rent – list lease violations) \_\_\_\_\_

4.  **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\_\_.

5. **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 this method: \_\_\_\_\_

\_\_\_\_\_ (see attached notice)

6. **ATTORNEY'S FEES:** Plaintiff  will be or  will NOT be seeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are: \_\_\_\_\_

7.  **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).

**8. REQUEST FOR JUDGMENT:** Plaintiff prays that defendant(s) be served with citation and that plaintiff have judgment against defendant(s) for: possession of premises, including removal of defendants and defendants' 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 rental contract, or if not so stated, at the statutory rate for judgments under Civil Statutes Article 5069-1.05.

**DEFENDANT(S) INFORMATION** (if known):

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

**\*LAST 3 NUMBERS OF DRIVER LICENSE:** \_\_\_\_\_ **STATE:** \_\_\_\_\_

**\*LAST 3 NUMBERS OF SOCIAL SECURITY:** \_\_\_\_\_

**DEFENDANT(S) PHONE NUMBER:** \_\_\_\_\_

**DEFENDANT(S) MAILING ADDRESS:** \_\_\_\_\_

\_\_\_\_\_

**9.  I give my consent for the answer and any motions or pleadings to be sent to my email address which is:**

**(Only if both parties agree)** \_\_\_\_\_.

\_\_\_\_\_  
Petitioner's Printed Name

\_\_\_\_\_  
Signature of Plaintiff or Attorney

\_\_\_\_\_  
Address of Plaintiff or Attorney

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Plaintiff Phone and Fax Numbers or Attorney

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of Texas

# AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

CASE NO. (Court use only) \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF(S)

VS.

\_\_\_\_\_  
DEFENDANT(S)

IN THE JUSTICE COURT

PRECINCT 1

WILSON COUNTY, TEXAS

Before me the undersigned notary, on this day personally appeared the undersigned affiant whose identity is known to me. After I administered an oath to such affiant, he or she upon oath and under penalty of perjury (fine and/or up to one year in jail), stated the following:

My name is (please print) \_\_\_\_\_

I am (check one)  the plaintiff or  an authorized agent of the plaintiff in the case described at the top right of this page. I am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

(Check or fill in as applicable)

1. No defendant in this case is on active duty in the U.S. military (Army, Navy, Air Force, Marines, or Coast Guard). The facts on which I base my conclusion are as follows:

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

2. Defendant (insert name(s)) \_\_\_\_\_  
is on active duty in the U.S. military.

3. Defendant (insert name(s)) \_\_\_\_\_  
has been deployed by the U.S. military to a foreign country.

4. Plaintiff and the undersigned (if the undersigned is acting agent of plaintiff) are not able to determine whether any defendant is with the U.S. military – except for defendant named in paragraph 2 above.

5. Plaintiff and the undersigned (if the undersigned is acting as an agent of plaintiff) are not able to determine whether any defendant who is in the U.S. military has been deployed to a foreign country – except for any defendant named in paragraph 3 above.

6. Defendant (insert name(s)) \_\_\_\_\_ has signed, while on active duty, a separate written waiver or a written lease containing a waiver of his or her rights under the U.S. Service members Civil Relief Act of 2003.

\_\_\_\_\_  
Signature of Affiant

SWORN TO and SUBSCRIBED before me by \_\_\_\_\_ on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public for the State of Texas