

CAUSE NO. _____

IN THE JUSTICE COURT OF

PLAINTIFF

VS

PRECINCT ONE

DEFENDANT

LAMPASAS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION IN EVICTION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES _____, hereinafter referred to as
"Plaintiff", whether one or more complaining of _____
AND ALL OCCUPANTS of the premises hereinafter described, hereinafter referred to as
"Defendant" whether one or more entitled to possession of the premises, and in support
of would show the following;

1. Plaintiff does business in Lampasas County, Texas.
2. Defendant resides in Lampasas County, Texas and may be served with process at the address of the premises which is _____ Lampasas County, Texas or at such other place as Defendant may be found. The addresses listed herein are all of the addresses (work or home) of Defendant known to Plaintiff.
2. The premises are located within the jurisdiction of this Honorable Court, same lying within this precinct of Lampasas County, Texas.
4. Heretofore, Plaintiff entered into an agreement with the Defendant for occupancy of the premises. Defendant has violated the terms of agreement by: (Check where applicable).
 _____ failing to pay rent for the period beginning the _____ day of _____ 20____ and running through the present.
 _____ Breaching the terms and condition of the agreement by _____

In the event that neither of the above causes is checked, possession of the premises is sought by the Plaintiff under the cause of action that the owner wants possession.

Defendant went into possession of the premises by virtue the same. Plaintiff has given the Defendant timely notice to vacate as a prerequisite to the filing of this lawsuit. Despite this refused to comply with said demand and is willfully withholding possession of the premises at the present time. Accordingly, Plaintiff has terminated the Defendant's right to possess and is entitled to immediate possession of the premises.

5. In addition to possession of the premises, Plaintiff hereby seeks judgment against Defendant for: (Check where applicable).

_____ back rentals in the amount of \$ _____, plus such daily rentals
 _____ as may accrue between the time of filing this petitions and the
 _____ Defendant vacates the premises,
 _____ interest at the maximum legal rate until judgment is paid.
 _____ reasonable attorney's fee it is necessary to employ counsel.

WHEREFORE, PREMISES CONSIDERED, Plaintiff request that Defendant be cited to answer the complaint and upon final hearing hereof, that Defendant be adjudged guilty of Eviction, that restitution of the premises be made to the Plaintiff, and that the Plaintiff recover, along with such other and further relief, both general and special, legal and equitable, to which Plaintiff may show entitlement.

Respectfully submitted:

 Plaintiff

 Plaintiff's Agent

 Address

 City, State, Zip Code

 Phone Number

SUBSCRIBED AND SWORN TO BEFORE ME on this _____ day of _____
 20_____.

 Notary Public, State of Texas

DOCKET NO. _____

AFFIDAVIT
SERVICEMEMBERS CIVIL RELIEF ACT SEC. 201 (b)

PLAINTIFF BEING DULY SWORN ON HIS 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 RELIEF ACT OF 2003.
- DEFENDANT HAS WAIVED HIS RIGHTS UNDER THE SERVICE MEMBERS
RELIEF ACT OF 2003.
- MILITARY STATUS IS UNKNOWN AT THIS TIME.

PLAINTIFF

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE _____ DAY OF
_____, 2007

CLERK OF THE JUSTICE COURT

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

