



WHARTON COUNTY PRECINCT # 1, 2, 3, or 4

JUSTICE OF THE PEACE

Justice Court Filing of Precinct 1, 2, 3, or 4:

The filing fee is Fifty-four dollars (\$54.00).

In addition, there is a fee for serving the defendant which is Seventy Five Dollars(\$75.00) per defendant to be served in Wharton County, for a total of One Hundred Twenty Nine dollars(129.00).

NoteIf you are filing on a defendant that resides *outside* of Wharton County, you must contact that county for the constable's service fee and address.

Wharton County Filings: To find the correct precinct of an address you are filing on within Wharton County; contact the Wharton County Election's office at: 979-532-0193

Justice Courts, Wharton County Texas

Judge Jared Cullar, Pct. 1

1017N. Alabama Road
Wharton, Texas 77488
Phone (979) 532-3941
Fax(979) 531-0758

Judge Glenn P. Russell, Pct. 2

P.O. Box 780 (736 Clubside Drive)
East Bernard, Texas 77435
Phone (979) 335-6210
Fax (979)335-6312

Judge Donna Wessels, Pct. 3

P.O. Box 184 (340 West North St.)
Louise, Texas 77455
Phone (979) 648-2363
Fax (979) 648-2359

Judge T.J. Drapela, Pct. 4

605 E. Calhoun St.
El Campo, Texas 77437
Phone (979) 543-4322
Fax (979) 543-1568

PETITION: SMALL CLAIMS CASE

CASE NO. (court use only) _____

In the Justice Court, Precinct _____, Wharton County, Texas

PLAINTIFF _____

VS.

DEFENDANT(S): _____

Defendant(s) address: _____

Defendant(s) phone Number: _____

COMPLAINT: The basis for the claim which entitles the plaintiff to seek relief against the defendant is:

RELIEF: Plaintiff seeks damages in the amount of \$ _____, and/or return of personal property as described as follows (be specific): _____, which has a value of \$ _____.

Additionally, plaintiff seeks the following: _____
_____.

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:

_____.

If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address: _____.

Petitioner's Printed Name

Signature of Plaintiff or Attorney

DEFENDANT(S) INFORMATION (if known):

Address of Plaintiff's Attorney, if any, or Plaintiff if none

DATE OF BIRTH: _____

City State Zip

*LAST 3 NUMBERS OF DRIVER LICENSE: _____

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE NUMBER: _____

Phone & Fax No. of Plaintiff's Attorney, if any, or Plaintiff if none

Subscribed and sworn before me this _____ day of _____, 20____.

Clerk of Court / Notary Public

This affidavit is required in all civil filings in this Court. You may take this affidavit to any legally qualified notary public or bring it to my office and we will have you swear to the affidavit before the Judge Or Clerk. Failure to submit this affidavit will invalidate your claim.

CASE NO. _____

AFFIDAVIT PLAINTIFF BEING DULY SWORN ON HIS OATH DEPOSES AND SAYS UNDER PENALTY OF PERJURY THAT DEFENDANT(S)

- IS NOT IN THE MILITARY
- IS NOT ON ACTIVE DUTY IN THE MILITARY AND/OR
- IS NOT IN A FOREIGN COUNTRY ON MILITARY SERVICE.
- IS ON ACTIVE MILITARY DUTY AND/OR IS SUBJECT TO THE SERVICEMEMBERS CIVIL RELIEF ACT OF 2003
- MILITARY STATUS IS UNKNOWN AT THIS TIME

PLAINTIFF _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____
DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR STATE OF TEXAS/
CLERK OF THE JUSTICE COURT (STRIKE ONE)

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.

CIVIL PROCESS INFORMATION FORM

Name of Defendant: _____

Address, City, State, Zip: _____

Telephone: _____ (Home) _____ (Cell)

Drivers License # _____ SSN# _____

Appx. Height: _____ Appx. Weight: _____ Race: _____ Sex: _____ Hair Color: _____

Other Identifying Marks/Features: _____

Directions to Residence: _____

Residence Description (Type of residence, color, one or two story): _____

Vehicle Information:

(1) Make: _____ Model: _____ Color: _____ Year: _____

(2) Make: _____ Model: _____ Color: _____ Year: _____

Employer Information:

Employer: _____

Address, City, State, Zip: _____

Telephone: _____

Plaintiff Name, Address, Telephone Number: _____

IN THE JUSTICE COURT
PRECINCT _____
WHARTON COUNTY, TEXAS

CASE NO. _____

PLAINTIFF

VS.

DEFENDANT

PLAINTIFF'S MOTION TO DISMISS

COMES NOW THE PLAINTIFF in the above styled and numbered cause and files this MOTION TO DISMISS the above styled case WITHOUT PREJUDICE, in accordance with RULE 162 of the Texas Rules of Civil Procedure, and cites the following reason(s):

FILED THIS THE _____ DAY OF _____, 20_____.

PLAINTIFF

ORDER OF DISMISSAL

Be it therefore ORDERED, ADJUDGED AND DECREED that the PLAINTIFF'S MOTION BE GRANTED. The above styled cause is DISMISSED WITH/WITHOUT PREJUDICE.

SIGNED AND ENTERED THIS _____ DAY OF _____, 20_____.

PRESIDING JUDGE/CLERK OF COURT