

PETITION: EVICTION CASE

☐

With suit for Rent

☐

Mobile Home Lot

Court Date: _____
Time: _____ am

CASE NO. 4EV _____ - _____

In the Justice Court, Precinct Four, Walker County, Texas

PLAINTIFF _____
(Landlord/Property Name)

VS.

DEFENDANT(S): _____

Rental Subsidy (if any) \$ _____
Tenant's Portion \$ _____
TOTAL MONTHLY RENT \$ _____
Rent DUE DATE: _____

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:

Street Address	Unit No. (If any)	City	State	Zip
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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):

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 _____ and delivered by this method:

other: _____

6. ☐ I HAVE REVIEWED THE INFORMATION ABOUT THE TEXAS EVICTION DIVERSION PROGRAM available at www.txcourts.gov/eviction-diversion/.

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

8. ☐ **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).

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' 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. ☐ I give my consent for the answer and any other motions or pleadings to be sent to my email address which is: _____

DEFENDANT(S) INFORMATION (if known):

DATE OF BIRTH: _____
*LAST 3 NUMBERS OF DRIVER LICENSE: _____
*LAST 3 NUMBERS OF SOCIAL SECURITY: _____
DEFENDANT'S PHONE NUMBER: _____

Signature of Plaintiff

Date

Petitioner's Printed Name

Phone of Plaintiff or Agent

Mailing Address of Plaintiff or Agent

City, State & Zip Code

Military Status Affidavit

THIS FORM MUST BE FILLED OUT COMPLETELY

Instructions: The Service members 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 the 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 plaintiff to file a bond in an amount approved by the court. A person who makes or uses an affidavit under this Act knowing it to be false, may be fined or imprisoned or both. 50 U.S.C. App. 501 et seq. To obtain certificates of service or non-service under the Service members' Civil Relief Act, you may access the public website: <https://scra.dmdc.osd.mil/scra/#/home> (this website will provide the current active military status of an individual).

CAUSE NO: **4EV** -

PLAINTIFF	§	IN THE JUSTICE COURT
	§	
	§	
v.	§	PRECINCT FOUR
	§	
	§	
DEFENDANT	§	WALKER COUNTY, TEXAS

My name is (please print) _____,

I am the ☐ Plaintiff ☐ attorney of record for the Plaintiff in this proceeding. Under penalty of perjury, state that the following facts are true:

☐ _____, Defendant, **is not in** the military service.

☐ _____, Defendant, **is in** military service.

I know this because _____

☐ I am unable to determine **whether or not** the Defendant is in military service.

Date

Signature of affiant

THE STATE OF TEXAS §
COUNTY OF WALKER §

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

CLERK OF THE JUSTICE COURT

NOTARY PUBLIC, STATE OF TEXAS

CAUSE NO 4EV _____ - _____

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT NO. FOUR
	§	
_____	§	
DEFENDANT	§	WALKER COUNTY, TEXAS

JUSTICE COURT CONTACT INFORMATION SHEET

We request that you to provide the court with up to date contact information on both parties. Due to the COVID-19 Supreme Court Rules we might hold court remotely either by Zoom or by teleconferences.

Plaintiff Email: _____@_____

Plaintiff Phone #: (____) _____

Defendant Email: _____@_____

Defendant Phone #: (____) _____