

CAUSE NO. \_\_\_\_\_

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT NO. ____
	§	
_____	§	
DEFENDANT	§	ELLIS COUNTY, TEXAS

**PETITION: EVICTION CASE**

**COMPLAINT:** Plaintiff hereby sues the following Defendant(s) \_\_\_\_\_ for eviction of Plaintiff's premises (including storerooms and parking areas) located in the above precinct. The address of the property is:

_____	_____	_____	_____	_____
Street Address	Unit No. (if any)	City	State	Zip

**GROUND FOR EVICTION:** Plaintiff alleges the following grounds for eviction:

**Unpaid rent.** Defendant(s) failed to pay rent for the following time period(s): \_\_\_\_\_ . The amount of rent claimed as of the 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.

**Other lease violations.** Defendant(s) breached the terms of the lease (other than by failing to pay rent) as follows: \_\_\_\_\_

**Holdover.** Defendant(s) are unlawfully holding over by failing to vacate at the end of the rental term or renewal of extension period, which was the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**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\_\_ by this method: \_\_\_\_\_

**SUIT FOR RENT:** Plaintiff does or does not include a suit for unpaid rent.

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

**IMMEDIATE POSSESSION BOND:** If Plaintiff has filed a bond for immediate possession, Plaintiff requests that: (1) the Court set the amount of the bond; (2) the Court approve the

bond; and (3) proper notices, as required by the Texas Rules of Civil Procedure, are given to Defendant(s).

**SERVICE OF CITATION:** Service is requested on Defendant(s) by: personal service at home or work, or by delivery to a person over the age of 16 years at Defendant's usual place of residence. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other home or work addresses where Defendant(s) may be served are: \_\_\_\_\_

\_\_\_\_\_

Plaintiff knows of no other home or work addresses of Defendant(s) in this county.

**RELIEF:** Plaintiff requests that Defendant(s) is served with the citation and that Plaintiff is awarded a judgment against Defendant(s) for: possession of the premises, including removal of Defendant(s) and Defendant's 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 lease, or if not so stated, at the statutory rate for judgments.

I hereby request a jury trial. The fee is \$22 and must be paid at least 3 days before trial.

I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff's Printed Name

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

**Defendant's Information** (if known):

Date of birth: \_\_\_\_\_

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

Last three digits of Driver License: \_\_\_\_\_

Last three digits of Soc. Sec. No.: \_\_\_\_\_

Phone No.: \_\_\_\_\_

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone & Fax No. of Plaintiff  
or Agent or Attorney

**SWORN TO AND SUBSCRIBED** before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY

CAUSE NO. \_\_\_\_\_

\_\_\_\_\_  
VS.  
\_\_\_\_\_

JUSTICE OF THE PEACE  
COURT PRECINCT \_\_\_\_  
ELLIS COUNTY, TEXAS

**MILITARY STATUS AFFIDAVIT**

Plaintiff, or Plaintiffs representative, being duly sworn on oath deposes and says that, to the best of my knowledge, Defendant(s) To check military status please go to <https://scra.dmdc.osd.mil/>

is not in the military

is not on active duty in the military

is not in a foreign country on military service

is on active duty and/or is subject to the Service Members Civil Relief Act of 2003

has waived his rights under the Service Members Civil Relief Act of 2003

military status is unknown at this time

\_\_\_\_\_  
Plaintiff/Representative

SIGNED AND SWORN TO before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk of the Court/Notary Public  
(Strike One)

**PENALTY FOR MAKING OR USING A 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**