

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

\_\_\_\_\_  
PLAINTIFF

§

IN THE JUSTICE COURT

§

v.

§

PRECINCT 1

§

\_\_\_\_\_  
DEFENDANT

§

SAN JACINTO COUNTY, TEXAS

**PETITION: SMALL CLAIMS CASE**

**I. DEFENDANT(S) ADDRESS:**

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

**II. COMPLAINT:** Plaintiff files this suit against Defendant based upon the following facts:

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

**III. RELIEF:** Plaintiff seeks:

damages in the amount of \$ \_\_\_\_\_,

return of personal property as described as follows (*be specific*): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_, which has a value of \$ \_\_\_\_\_.

Additionally, Plaintiff seeks the following:

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

**IV. SERVICE OF CITATION:** Service is requested on Defendant(s) by:

Personal service at home or work,

Registered mail, or

Certified mail return receipt requested.

If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other addresses where Defendant(s) may be served are: \_\_\_\_\_

\_\_\_\_\_

V. **ONGOING INTEREST:** Plaintiff  does or  does not seek ongoing interest. If so:  
The effective interest rate claimed is \_\_\_\_\_%; this interest rate is based upon  
 contract  statute and began accruing on \_\_\_\_\_; the dollar amount of  
interest claimed as of \_\_\_\_\_ is \$ \_\_\_\_\_.

VI. **JURY REQUEST**

I request a jury trial. (*The fee is \$22 and must be paid at least 14 days before trial unless you file a Statement of Inability to Afford Payment of Court Costs in compliance with Rule 502.3.*)

I do not request a jury at this time.

Respectfully submitted,

\_\_\_\_\_  
Signature of Plaintiff

\_\_\_\_\_  
Signature of Attorney, if any

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Fax: \_\_\_\_\_

State Bar No.: \_\_\_\_\_

Cause Number: \_\_\_\_\_

_____	§	IN THE JUSTICE COURT
Plaintiff	§	
V.	§	PRECINCT 1 PLACE 1
_____	§	
Defendant	§	SAN JACINTO COUNTY, TEXAS

**NON-MILITARY DECLARATION**

Pursuant to Texas Civil Practice and Remedies Code § 132.001, which provides that "an unsworn declaration may be used in lieu of a written sworn declaration, verification, certification, oath or affidavit required by statute or required by a rule, order, or requirement adopted as provided by law," and Texas Business and Commerce Code § 322.007 which provides that "if a law requires a record to be in writing, an electronic record satisfies the law," the undersigned hereby submits the following unsworn declaration as to the military status of the above-named Defendant:

1. "My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_ and my address is \_\_\_\_\_.

2. I declare under penalty of perjury that the following is true and correct.

3. Relevant information for the Defendant has been submitted through the website maintained by the Department of Defense for issues pertaining to the Servicemembers Civil Relief Act. According the Department of Defense Manpower Data Center, the DMDC does not indicate that the Defendant is currently on active duty, has been on active duty in the past 367 days, or has been notified of a future call-up to active duty in any branch of the United States Armed Forces. A copy of the results is attached.

4. Based upon my review of the matter, the attached results, and to the best of my knowledge, the Defendant in the above styled cause is not currently on active duty in any branch of the United States Armed Forces."

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Petitioner

Indicate case type, or identify the most important issue in the case (select only 1):

**Debt Claim:** 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 20,000, excluding statutory interest and court costs but including attorney fees, if any.

**Eviction:** 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 20,000, excluding statutory interest and court costs but including attorney fees, if any.

**Repair and Remedy:** 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 20,000, excluding statutory interest and court costs but including attorney fees, if any.

**Small Claims:** 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 20,000, excluding statutory interest and court costs but including attorney fees, if any.