

In the Justice Court, Precinct 4, Lubbock County, Texas

PLAINTIFF _____
(Landlord/Property Name)

Vs.

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

DEFENDANT(S) _____

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/Apt # (if any)** **City** **State** **Zip Code**

1. **SERVICE OF CITATION:** Service is requested on defendant(s) by personal service at home or work or by alternative services as allowed by the Texas Justice Court Rules. Other addresses where the defendant(s) may be served are:

[check or fill in as applicable].

2. **UNPAID RENT AS GROUNDS FOR EVICTION:** Defendant(s) failed to pay rent for the following time periods: _____
_____. **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 _____, 20_____ and delivered by this method: _____

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

7. **BOND FOR POSSESSION:** If Plaintiff has filed a bond for possession, plaintiff request (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 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 rental contract, or if not so stated as the statutory rate for judgments under Civil Statutes Article 5069-1.05.

I have reviewed the information about the Texas Eviction Diversion Program available at www.txcourts.gov/eviction-diversion/.

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

Petitioner's Printed Name

Signature of Plaintiff (Landlord/Property Owner) or Agent

Address of Plaintiff (Landlord/Property Owner) or Agent

DEFENDANT(S) INFORMATION (if known):

DATE OF BIRTH: _____

City

State

Zip code

* LAST 3 NUMBERS OF DRIVER'S LICENSE: _____

* LAST 3 NUMBER OF SOCIAL SECURITY: _____

Phone & Fax No. Of Plaintiff (landlord/Property Owner) or Agent

DEFENDANT'S PHONE NUMBER: _____

Sworn to and subscribed before me this _____ day of _____, 20_____.

****WAIT TO SIGN IN FRONT OF NOTARY OR COURT CLERK****

CLERK OF THE JUSTICE COURT OR NOTARY PUBLIC

CASE NO: _____

PLAINTIFF

v.

DEFENDANT

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§
§
§
§
§

IN THE JUSTICE COURT

PRECINCT 4

LUBBOCK COUNTY, TEXAS

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

Before me the undersigned clerk of the justice court, on this day personally appeared the undersigned affiant whose identification is known to me. After I administered an oath of such affiant, he or she upon oath and under penalty of perjury (fine and/or up to one year in jail), stated the following:

My name is (please print) _____ I am [check one] the plaintiff or an authorized agent of the plaintiff in the case described a the top right of this page. I am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

[check or fill in as applicable].

- 1. No defendant in this case is on active duty in the U.S. military (Army, Navy, Air Force, Marines, or Coast Guard) The facts on which I base my conclusion are as follows: _____
- 2. Defendant [insert name(s)]. Is on active duty in the _____ U.S. military.
- 3. Defendant [insert name(s)] _____ has been deployed by the U. S. military to a foreign country.
- 4. Plaintiff and the undersigned (if the undersigned is acting as an agent of plaintiff) are not able to determine whether any defendant is with the U.S. military –except for any defendant named in paragraph 2 above.
- 5. Plaintiff and the undersigned (if the undersigned is acting as an agent of plaintiff) are not able to determine whether any defendant who is in the U.S. military has been deployed to a foreign country–except for any defendant named in paragraph 3 above.
- 6. Defendant [insert name(s)] _____ has signed, while on active duty, a separate, limited written waiver or a written lease containing a limited waiver of his or her rights under the U.S. Service members Civil Relief Act of 2003

Signature of Affiant

SWORN TO and SUBSCRIBED before my by _____ on _____, 20____.

Clerk of the Justice Court or Notary Public

****WAIT TO SIGN IN FRONT OF NOTARY OR COURT CLERK****