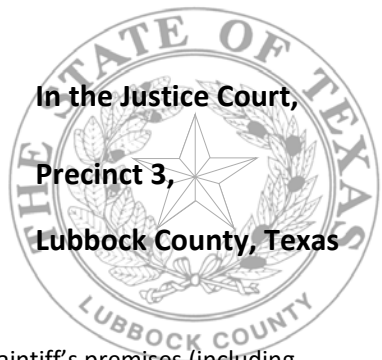


CASE NO. \_\_\_\_\_



PLAINTIFF \_\_\_\_\_ §  
(Landlord/Owner Name)  
VS. \_\_\_\_\_ §  
DEFENDANT(S): \_\_\_\_\_ §

In the Justice Court,  
Precinct 3,  
Lubbock County, Texas

**PETITION: EVICTION CASE**

**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** \_\_\_\_\_

- 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: \_\_\_\_\_
- 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.*
- OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS:** Lease Violations (if other than non-paid rent – list lease violations) \_\_\_\_\_
- 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\_\_\_\_.
- 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:** \_\_\_\_\_
- ATTORNEY'S FEES:** Plaintiff  will be or  will NOT be seeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are: \_\_\_\_\_
- MEDIATE POSSESSION BOND:** 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).

**RELIEF:** 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 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 hereby request a jury trial. **The fee is \$22.00** 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 below.

Printed name Plaintiff (Landlord/Property Owner) or Agent \_\_\_\_\_

Signature of Plaintiff (Landlord/Property Owner) or Agent \_\_\_\_\_

PLAINTIFF'S/AGENT EMAIL \_\_\_\_\_

Address of Plaintiff (Landlord/Property Owner) or Agent \_\_\_\_\_

<b>DEFENDANT(S) INFORMATION</b> (if known):	
DEFENDANT'S PHONE NUMBER:	_____
Rental Subsidy (if any)	\$ _____
Tenant's Portion	\$ _____
<b>TOTAL MONTHLY RENT</b>	<b>\$ _____</b>

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

Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent \_\_\_\_\_

SWORN TO and SUBSCRIBED before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CLERK OF COURT OR NOTARY PUBLIC

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

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT 3
	§	
_____	§	
DEFENDANT	§	LUBBOCK COUNTY, TEXAS

### SERVICEMEMBER’S CIVIL RELIEF ACT AFFIDAVIT

**Instructions:** The Servicemember’s 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 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 the plaintiff to file a bond in an amount approved by the court. To obtain certificates of service or non-service under the Servicemember’s Civil Relief Act, you may access the public website: <https://www.dmdc.osd.mil/appli/scra/scraHome.do>. This website will provide the current active military status of an individual.

Plaintiff being duly sworn under oath swears that Defendant is: *(check one)*

- not on active duty in the military
- on active military duty and/or is subject to the Servicemember’s Civil Relief Act of 2003
- has waived in writing his/her rights under the Servicemember’s Civil Relief Act of 2003
- military status is unknown at this time

\_\_\_\_\_  
PLAINTIFF (Landlord/Property Owner) or Agent

**SWORN TO AND SUBSCRIBED** before me on \_\_\_\_\_, 20\_\_\_\_\_.

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

*\*Penalty for making or using 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.*



# How to Obtain a Military Status Report

1. Go to the SCRA Website: <https://scra.dmdc.osd.mil/scra/#/home>

There is a shortcut tab for this site on the two Pro Se computers in the Law Library (3<sup>rd</sup> Floor Annex).

**Please note for a single record request regarding your specified individual, a SSN is NOT REQUIRED. Providing additional details such as First Name, Middle Name, -OR- SSN, if already known, will increase the accuracy of the match. If birthdate is entered, use the following format MM/DD/YYYY. If date of birth is not known, enter today’s date. The birthdate field should now have a checkmark on the right side. No dates before January 1, 1900, and no future dates are allowed. If you receive a red error message as you fill in your information, sometimes removing punctuation will resolve the issue.**

- FYI: Without a Social Security Number or correct date of birth, DMDC cannot authoritatively assert that this is the same individual that your query refers to. Name and date of birth alone do not uniquely identify an individual. **(You may enter 9 zeros for the Social Security Number in BOTH columns if you are having trouble proceeding)**

2. To begin, you will need to create an account. Your USERNAME must be 4-30 characters and contain only letters, numbers, and special characters from this list: . \_ @

3. The PASSWORD you select must contain 14-26 characters. It also must contain **at least one** of each of the following:  
Lowercase Letter

Uppercase Letter

Number

Special Characters from this list: ! # \$ % & \* < >

The same character may not be repeated more than twice in a row.

4. Use the 14 spaces below to create your password. You may use up to a maximum of 26 characters.

— — — — — — — — — — — — — — —

5. Confirm the password by re-typing it. Your password will expire every 60 days. After 90 days of inactivity, your account will be disabled and you will be required to create a new account.
6. Answer the security questions in case your identity needs to be verified in the future.
7. This site will frequently ask you to select certain photos (reCAPTCHA) to verify that you are not a computer.
8. When you log in to the site, select “Single Record Request” from the red band across the top.
9. Enter either an SSN (if known) or birthdate for the individual. You may enter both if you choose.
10. You may be prompted by a reCAPTCHA and asked to verify before continuing.
11. Click “Submit.”
12. Your Status Report will pop up in the bottom left-hand corner as a PDF.
13. **Open it and print it.**
14. For information related to the Servicemembers Civil Relief Act or a service member’s status, call 1-800-538-9552.
15. For information related to technical issues with the website or website assistance, call 1-800-477-8227.