

JUSTICE OF THE PEACE, PCT. 3
509 N. UNION ST.
WHITESBORO, TX. 76273

OFFICE (903) 564-3550
FAX (903) 564-9127

EVICTON SUIT PROCEDURE

Limit of the Court is \$10,000.00

**THE JUDGE CANNOT DISCUSS THIS CASE WITH YOU PRIOR TO THE HEARING. IF YOU
HAVE ANY LEGAL QUESTIONS, YOU MUST CONSULT AN ATTORNEY**

TEXAS RULES OF CIVIL PROCEDURE

RULES 500-507 AND 510 PART V

WWW.TexasLawHelp.org

texasbar.com

FOR THE PUBLIC

Writ of Possession:

This instrument directs the Constable or Sheriff to take possession of the property and turn it over to you. **Writ of Possession is \$150.00 service and \$ 5.00 filing fee for a total of \$155.00.** After fees are paid in full the Writ will be turned over to the appropriate Constable or Sheriff for execution of service. Your telephone number and address will also be given to the Constable or Sheriff so they may contact you. Any questions concerning the Writ should be directed to the Constable or Sheriff.

**(ANY PORTION OF THE HOUR BEYOND 2 HOURS AN ADDITIONAL
FEE OF \$50.00 PER HOUR OR PORTION)**

**OFFICER DOES NOT PHYSICALLY REMOVE ANY PROPERTY FROM
THE PREMISES. THE LANDLORD IS RESPONSIBLE FOR REMOVAL.**

DOCKET NO. _____

NON-MILITARY AFFIDAVIT

Service Member's Civil Relief Act

Plaintiff being duly sworn on oath deposes* and says that Defendant(s) is (are)

(CHECK ONE)

- Not in the Military
- Not on active duty in the Military Service
- Not in a Foreign Country on Military Service
- On active Military Duty and/or is subject to the Service Members Civil Relief Act of 2003
- Has waived his/her rights under the Service Members Civil Act of 2003
- Military status is unknown at this time

Plaintiff

Signed and sworn before me this ____ Day of _____, 20____.

JUDGE/CLERK/NOTARY

***Penalty for making or using false affidavit – a person who makes or uses 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.**

<https://www.dmdc.osd.mil/appj/scra/scraHome.do>

Plaintiff(s)/Landlord(s) (Actual Landlord)

v.

List all Defendant(s)/Tenant(s) for which eviction is sought

§
§
§
§
§
§
§

In the Justice Court
Precinct __, Place 1
County of Grayson
State of Texas

COMPLAINT for EVICTION

*(For all addresses, you **MUST** include number, street, apartment number, city, state, & zip code.)*

Plaintiff, being duly sworn on oath, files this written complaint against the above named Defendant(s) to evict Defendant(s) from Plaintiff's premises, which is located in Justice of the Peace Precinct 3 of Grayson County and which is **described as**:

Phone: _____ FAX: _____

Plaintiff requests service of citation by personal service at the previously described premises or by alternate service, if necessary, under Rule 510.4 (c).

Any work or **other known addresses** for the Defendant(s) known to Plaintiff are as follows:

Phone: _____ FAX: _____

Plaintiff and Defendant(s) have established a **landlord tenant** relationship by: *(check one)* a written lease or agreement, an oral agreement, occupancy after foreclosure sale, occupancy after contract for deed default, *(other)* _____

Grounds for eviction are: *(check)* non-payment of rent, holding over, non-rent default by *(describe default)* _____

Written **notice to vacate** for the grounds stated above was delivered to Defendant(s) at the above described premises on the _____ day of _____, 20____, *(check)* in person to the tenant(s). in person to an occupant at least sixteen years of age. by mail. by affixing to the **inside** of the main entry door. *(other)* _____

Thereafter Defendant(s) failed to surrender possession of the above described premises by the date specified in the **notice to vacate** thereby committing a **forcible detainer**.

Plaintiff requests judgment for Plaintiff(s) against Defendant(s) for possession of the above described premises, for writ of possession, plus rent due through today \$ _____ and Reasonable Attorney Fees if any \$ _____, plus all other costs of court, interest at the highest legal rate.

Amount of monthly Rent \$ _____

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

Defendant/Tenant Information:

DL# _____
D.O.B. _____ / _____ / _____
SEX _____
RACE _____

X _____
Landlord, Landlord's authorized Agent, or Landlord's Attorney
(if Attorney) Bar Card Number _____
Address _____
Phone (____) _____ FAX (____) _____

SWORN to and SUSCRIBED before me this _____ day of _____, 20____.

(Seal)

(Notary or Clerk of Court) _____

JUSTICE COURT CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY): _____

Styled _____

(e.g. John Smith V. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet	2. Names of parties in case:
<p>Name: _____ Telephone: _____</p> <p>Address: _____ Fax: _____</p> <p>City/State/Zip: _____ State Bar No: _____</p> <p>Email: _____</p> <p>Signature: _____</p>	<p>Plaintiff(s):</p> <p>_____</p> <p>_____</p> <p>Defendant(s):</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>[Attach additional page as necessary to list all parties]</p>

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

<input type="checkbox"/> 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 \$10,000 in damages, excluding statutory interest and court costs but including attorney fees, if any.	<input type="checkbox"/> 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 \$10,000, including cost and attorney fees, if any.
<input type="checkbox"/> Repair and Remedy: A repair and remedy case is a lawsuit brought to seek judicial remedy for the alleged failure of a landlord to remedy or repair a condition as required by Chapter 92 of the Texas Property Code. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	<input type="checkbox"/> Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, or personal property. The claim can be for no more than \$10,000 excluding statutory interest and court costs but including attorney fees, if any.