

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

**SMALL CLAIMS - STATEMENT OF CLAIM**

**PLAINTIFF:**

\_\_\_\_\_  
MAILING ADDRESS:

\_\_\_\_\_  
CITY, STATE, ZIP CODE:

\_\_\_\_\_  
PHONE NUMBER:

**DEFENDANT:**

\_\_\_\_\_  
IF CORPORATION/COMPANY-AGENT FOR SERVICE:

\_\_\_\_\_  
PHYSICAL ADDRESS:

\_\_\_\_\_  
CITY, STATE, ZIP CODE:

\_\_\_\_\_  
PHONE NUMBER:

\_\_\_\_\_, Plaintiff, being duly

sworn, on oath deposes and says that

\_\_\_\_\_, Defendant, is justly

indebted to Plaintiff in the sum of \$ \_\_\_\_\_, for *(the nature of the claim should be stated in concise form and without technicality, including all pertinent dates)*:

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ and that there are no counterclaims existing  
in favor of Defendant against Plaintiff, except (*name exceptions*):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Plaintiff's Signature

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
201 \_\_\_\_.

\_\_\_\_\_  
JUDGE

BY \_\_\_\_\_  
COURT CLERK

**MILITARY STATUS AFFIDAVIT**

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

DEFENDANT: \_\_\_\_\_

**AFFIDAVIT  
50 USC Sec. 520**

Plaintiff being duly sworn on oath deposes and says that defendant(s) is (are):

**YOU MUST CHECK ONE**

- not in the military
- not on active military duty
- not in a foreign county on military service
- on active military duty and /or is subject to Servicemembers Civil Relief Act 2003
- has waived his/her rights under the Servicemembers Civil Act of 2003
- military status is unknown at this time

\_\_\_\_\_  
PLAINTIFF

Subscribed and sworn to before me on this \_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_.

\_\_\_\_\_  
NOTARY/CLERK

\_\_\_\_\_  
SEAL

\_\_\_ Notary Public in and for the State of Texas

\_\_\_ Clerk of the Justice Court

**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.**

## CERTIFICATE OF LAST KNOWN MAILING ADDRESS

The undersigned certifies that the last known mailing address of the Defendant against whom judgment is taken in this proceeding is:

Defendant's name:

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Defendant's Address:

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City

State

Zip Code

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Plaintiff

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Attorney of Record for Plaintiff

This document is required to be filed when a judgment is taken by default so that the Court may notify the defendant of the entry of the default judgment.

The Servicemembers Civil Relief Act, 50 U.S.C. App 501 *et seq*, passed December 19, 2003, requires the plaintiff in any civil proceeding in which the defendant does not make an appearance to file with the court an affidavit (A) stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or (B) if the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service.

**PENALTY FOR MAKING OR USING A FALSE AFFIDAVIT:** A person who makes or uses a military status affidavit, or statement, declaration, verification, or certificate, 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.

Costs for an attorney ad litem may be assessed against the plaintiff as costs of court unless otherwise ordered by the court.