

JUDGE RANDY DANIEL
Justice of the Peace, Pct. 1
100 E. Tyler Street, Room 200B
Athens, Texas 75751
(903)-677-6373, FAX (903)-677-6376

CASE NO. _____

PLAINTIFF'S ORIGINAL SMALL CLAIMS PETITION

PLAINTIFF'S NAME

ADDRESS/CITY/ZIP _____
TELEPHONE (____) _____

DEFENDANT'S NAME

ADDRESS/CITY/ZIP _____
TELEPHONE (____) _____ DATE OF BIRTH _____
LAST 3 NUMBERS OF DRIVERS LICENSE _____ LAST 3 OF SOCIAL SECURITY) _____

COMPLAINT: The basis for this claim which entitles Counter Plaintiff to seek relief against Defendant is:
F _____

RELIEF: Plaintiff seeks damages in the amount of \$ _____, and/or return of personal property as described as follows (be specific): _____, which has a value of \$ _____. Additionally, the Plaintiff seeks the following: _____

Plaintiff Signature

Signature of Attorney for Plaintiff (if applicable)

ADDRESS/CITY/ZIP (For Plaintiff Attorney) _____
TELEPHONE (____) _____ FAX (____) _____

Check if you wish to give your consent for the answer and any other motions or pleadings to be sent to you by email. My Email Address is: _____

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2017.

Clerk of the Court or Notary

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:

Defendant's Address:

City

State

Zip Code

Plaintiff

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.

JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

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:
Name:	Telephone:	Plaintiff(s):
Address:	Fax:	_____
City/State/Zip:	State Bar No:	Defendant(s):
Email:	_____	_____
Signature:	_____	[Attach additional page as necessary to list all parties]
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, 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, excluding statutory interest and court costs but including attorney fees, if any.	
<input type="checkbox"/> 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 \$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, personal property, or other relief allowed by law. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	