**CAUSE NO. _____**

| | | |
|---|---|---|
| _____ | § | **IN THE JUSTICE COURT** |
| **PLAINTIFF** | § | |
| | § | |
| **v.** | § | **PRECINCT 1, PLACE 1** |
| | § | |
| _____ | § | |
| **DEFENDANT(S)** | § | **FORT BEND COUNTY, TEXAS** |

## PETITION: EVICTION CASE

**COMPLAINT:** Plaintiff hereby sues the following Defendant(s) (*include name, email address, phone number, DOB, and last 3 digits of DL & SSN, if known*) : _____

_____

for eviction from Plaintiff's premises (including storerooms and parking areas) located in the above precinct. The address of the property is:

_____

**Street Address** **Unit No.** ***(if any)*** **City** **State** **Zip**

**GROUNDS FOR EVICTION:** Plaintiff alleges the following grounds for eviction:

☐ **Unpaid rent.** Defendant(s) failed to pay rent for the following time period(s): _____ _____. The amount of rent claimed as of the date of filing is: $_____. Defendant ☐ has or ☐ has not been late/delinquent in paying rent before the month in which notice was given. Plaintiff reserves the right to orally amend the amount of unpaid rent at trial to include rent due from the date of filing through the date of trial.

☐ **Other lease violations.** Defendant(s) breached the terms of the lease (other than by failing to pay rent) as follows:_____

_____

☐ **Holdover.** Defendant(s) are unlawfully holding over by failing to vacate at the end of the rental term or periodic tenancy, which ended on _____, 20___.

☐ **Squatter.** Defendant(s) never had a right to possess the property and are unlawfully occupying the premises after a demand to surrender possession given on _____, 20___. Plaintiff ☐ has or ☐ has not attached a Motion for Summary Disposition under Rule 510.10.

☐ **Expiration of Tenancy at Will or by Sufferance.** Defendant(s) had no lease agreement and have failed to vacate the premises after being given a termination notice, if applicable, and a demand to surrender possession given on _____, 20___.

**PRE-SUIT NOTICE:** Plaintiff has given Defendant(s) a ☐ notice to vacate ☐ notice to pay or vacate (*according to Property Code § 24.005(f-3) or (f-4)*) and demand for possession. Such notice was delivered on _____, 20____ by this method: _____.

**SUIT FOR RENT:** Plaintiff ☐ does or ☐ does not include a suit for unpaid rent.

Monthly Base Rent: $_____ Rental Subsidy? ☐ No ☐ Yes; Amount: $_____ Tenant Portion: $_____

**ATTORNEY'S FEES:** Plaintiff ☐ will be or ☐ will not be seeking applicable attorney's fees. The attorney's name, address, email, phone, and fax numbers are: _____

_____.

**IMMEDIATE POSSESSION BOND:** If Plaintiff has filed a bond for immediate possession, Plaintiff requests that: (1) the Court set the amount of the bond; (2) the Court approve the bond; and (3) proper notices, as required by the Texas Rules of Civil Procedure, are given to Defendant(s).

**SERVICE OF CITATION:** Service is requested on Defendant(s) by: personal service at home or work, or by delivery to a person over the age of 16 years at Defendant's usual place of residence. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Home or work addresses where Defendant(s) may be served ***other than the premises at issue*** are: _____

_____.

☐ Plaintiff knows of no other home or work addresses for Defendant(s) in this county.

**RELIEF:** Plaintiff requests that Defendant(s) be served with the citation and that Plaintiff be awarded a judgment against Defendant(s) for: possession of the premises, including removal of Defendant(s) and Defendant's possessions from the premises, unpaid rent, if set forth above, attorney's fees if applicable, court costs, and interest on the above sums at the rate stated in the lease, or if not so stated, at the statutory rate for judgments.

☐ I hereby request a jury trial. The jury fee is $22 and must be paid at least 3 days before trial.

**NOTIFICATIONS BY EMAIL:** (*Normally, documents in this case are sent by mail. You may choose to get documents sent by e-mail. If you choose to get documents by email, you must have an email account where you can receive, open, and view large attachments. It is important that you check this email account every day.* ***Even if you receive some documents by email, you may still receive some documents about the case by mail. You must not ignore any documents from the Court or other parties received by mail or personal service.***)

☐ Yes, I would like to receive documents related to this case by email at this email address: _____.

☐ No, I do not want to receive any documents by email.

Respectfully submitted,

_____
Signature of Plaintiff

Printed Name: _____
Address: _____
_____
Email: _____
Phone: _____
Fax: _____
_____

_____
Signature of Agent/Attorney, if any

Printed Name: _____
Address: _____
_____
Email: _____
Phone: _____
Fax: _____
_____
State Bar No.: _____

**SWORN TO AND SUBSCRIBED** before me on _____, 20____.

_____
CLERK OF THE JUSTICE COURT OR NOTARY

Case No._____

In the Justice Court, Precinct 1-1, Fort Bend County, Texas

_____ VS _____

Plaintiff Defendant

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT

Before me, the undersigned authority, on this day personally appeared:

_____

Who under penalty of perjury (fine and/or up to one year in jail), state the following:

My name is _____

I am the _____ Plaintiff or ___ Attorney of record or authorized agent for Plaintiff.

I am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

(Check one)

_____ Defendant is not in the military.
_____ Defendant is in the military service, I know this this because _____
_____.
_____I am unable to determine whether or not the Defendant is in the military service.

_____
Plaintiff Signature/Attorney/Agent for Plaintiff

SWORN TO and SUBSCRIBED before me on this ____ day of _____, 20___.

_____
Notary/Court Clerk