

Cause No. _____

(PLAINTIFF)

VS.

(DEFENDANT)

§

IN THE JUSTICE COURT

§

PRECINCT FOUR, PLACE ONE

§

LAMPASAS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION IN EVICTION

1) **Complaint:** Plaintiff hereby complains of the defendants named above for eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct, to-wit:

Street Address	Unit No.	City	State

2) **Service of Citation:** Service is requested on defendant by personal service at home or work by alternative service under rule 742 Texas Rules of Civil Procedure. If necessary alternative service is requested under Rule 742A.

Defendant's home address is: _____

Defendant's work address if known: _____

Plaintiff knows of no other home or work address of defendants in the county where the premises described in paragraph 1 are located.

3) **Unpaid rent as grounds for eviction:** Plaintiff and defendants entered into a rental agreement for the above described premises for occupancy commencing on the ___ day of _____, 20___. Defendants failed to pay the following rent and other sums which were demanded by the plaintiff and which were due on the following dates: *****(List dates and amounts)*****.

4) **Holdover as grounds for eviction:** Defendants are unlawfully holding over since they failed to vacate at the end of the rental term or renewal or extension period which was the ___ day of _____, 20___. Defendants are liable to plaintiff for hold over rents on a daily basis as per the lease.

5) **Other grounds for eviction:** Plaintiff's other grounds for eviction of defendants are as follows: _____

6) **Notice to vacate:** Plaintiff has given defendants a written notice to vacate and demand possession, such notice was delivered to defendants on the _____ day of _____, 20__ by personal delivery or by mail.

7) **Failure to vacate:** Defendants failed to vacate or comply with plaintiff's written demand for possession of the premises.

- 8) **Bond for possession:** If plaintiff has filed a “Bond for Possession” under Rule 740 Plaintiff requests (1) that the amount of the plaintiff’s bond and defendant’s counter bond be set (2) that the plaintiff’s bond be approved by the court and (3) that notice as required by rule 740 be given to defendants regarding counterbond or early trial.
- 9) **Request for judgement:** Plaintiff prays that defendants be served with citation and that plaintiff has judgement against defendants for possession of the premises; including removal of defendants and defendant’s possessions from the premises, unpaid rent to date of judgement, attorney’s fees, interest at ____o/o per annum compounded annually before the judgment (if provided in the lease) and after judgement, and court costs.

Date

Signature of Plaintiff or Agent

Address of Plaintiff or Agent

Sworn to and subscribed before me this _____Day of _____, 20__

Court Clerk or Notary Public