

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

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT 4
	§	
_____	§	
DEFENDANT	§	LAMPASAS COUNTY, TEXAS

### PETITION: EVICTION CASE

**COMPLAINT:** Plaintiff hereby sues the following Defendant(s) *(include name, DOB, and DL number, 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. <i>(if any)</i>	City	State	Zip
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**GROUND FOR EVICTION:** Plaintiff alleges the following grounds for eviction:

- ☐ **Unpaid rent.** Defendant(s) failed to pay rent for the following time period(s):  
\_\_\_\_\_ to \_\_\_\_\_. The amount of rent claimed as of the date of filing is: \$ \_\_\_\_\_. Rent is \$ \_\_\_\_\_ due on \_\_\_\_\_ day of each month.  
Plaintiff reserves the right to orally amend the amount 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, which was 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\_\_\_\_.
- ☐ **Expiration of Tenancy at Will.** 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\_\_\_\_.

**NOTICE TO VACATE:** Plaintiff has given Defendant(s) a written notice to vacate (*according to Property Code § 24.005*) and demand for possession. Such notice was delivered on the \_\_\_\_\_, 20\_\_\_\_ by this method: \_\_\_\_\_

**MOBILE HOME LOT:** ☐ is or ☐ is not an eviction to remove a mobile home from a rented lot.

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

**ATTORNEY'S FEES:** Plaintiff ☐ will be or ☐ will not be seeking applicable attorney's fees. The attorney's name, address, 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. Other home or work addresses where Defendant(s) may be served are:

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

**RELIEF:** Plaintiff requests that Defendant(s) is served with the citation and that Plaintiff is 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, 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 fee is \$22 and must be paid at least 3 days before trial.

**SERVICE BY EMAIL:.** *Even if you receive some documents by email, you will still receive some documents about the case by mail or personal service, so 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 or Attorney

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

State Bar No.: \_\_\_\_\_

**SWORN TO AND SUBSCRIBED** before me on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY

**COURT DATE:**

**DOCKET NO.**\_\_\_\_\_

**DEF NAME.**\_\_\_\_\_ (need 1 for each defendant)

**AFFIDAVIT  
SERVICEMEMBERS CIVIL RELIEF ACT SEC. 201 (b)**

PLAINTIFF BEING DULY SWORN ON HIS OATH DEPOSES AND SAYS THAT  
DEFENDANT

(CHECK ONLY ONE)

- ☐ IS NOT IN THE MILITARY
- ☐ NOT ON ACTIVE DUTY IN THE MILITARY AND/OR
- ☐ NOT IN A FOREIGN COUNTRY ON MILITARY SERVICE
- ☐ IS ON ACTIVE MILITARY DUTY AND/OR IS SUBJECT TO THE SERVICE  
MEMBERS RELIEF ACT OF 2003.
- ☐ DEFENDANT HAS WAIVED HIS RIGHTS UNDER THE SERVICE MEMBERS  
RELIEF ACT OF 2003.
- ☐ MILITARY STATUS IS UNKNOWN AT THIS TIME.
- ☐ IS IN THE MILITARY AND NOT CURRENTLY DEPLOYED

\_\_\_\_\_  
PLAINTIFF

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE \_\_\_\_\_ DAY OF

\_\_\_\_\_, 20\_\_

\_\_\_\_\_  
NOTARY OF PUBLIC OR COURT CLERK

**Penalty for making or using false affidavit – A Person who makes or uses an affidavit knowing to be false, shall be fined as provided in title 18 United States Code, or imprisoned for not more than one year, or both.**