

DEFENDANT INFORMATION

1. When you are sued and served with a citation from the Justice Court, you must file a written answer to the court on or before the 14th calendar day. If the 14th day falls on a weekend or holiday, you must file by the next business day. **You** must provide a copy of your written answer to the Plaintiff.
2. If you contest the suit and desire a jury trial, you must request it and pay a \$22.00 jury fee. If you chose a jury trial and do not show up on your court date you will be charged additional fees for empanelling the jury.
3. You may represent yourself or hire an attorney to represent you. (Check with the Clerk of the Court for exceptions to the rule).
4. If you do not desire to contest the suit, and you agree that the plaintiff recover the full amount he is seeking, you may request in writing the Court to enter a consent judgment against you.
5. You should prepare a proper defense if you go to trial even though the burden is on the Plaintiff to prove his allegation against you.
6. If witnesses are required and will not appear voluntarily, you may subpoena them to Court by asking for the subpoena and paying the required fee. The subpoena must be requested ten (10) days prior to the trial.
7. After the Plaintiff presents his case at the trial as to his right to recover, you are then allowed to present your defense as to why he should not recover.
8. You should remember that hearsay evidence may be inadmissible and cannot be used if objected to by the Plaintiff. Examples of hearsay evidence might include notarized statements or affidavits, repair estimates, police reports, and oral statements made outside of court.
9. When the Plaintiff and you have both rested your case, the Court will enter a judgment.
 - A. If a judgment is rendered against you, you may appeal the ruling of the Court to the County Court at Law within twenty one (21) days from the day the judgment is signed.
 - B. Should the Court rule the Plaintiff recover nothing from you, the Plaintiff has the Right to appeal

Should the Plaintiff recover from you and you do not appeal it, the Plaintiff may take further legal action against you to collect the amount of judgment plus court costs.

Defendant's Answer

Case No. _____

_____	§	IN THE JUSTICE COURT
Plaintiff	§	
VS.	§	PRECINCT FOUR
	§	
_____	§	ANGELINA COUNTY, TEXAS
Defendant		

CHECK ONE

I *admit* the allegations of this petition and consent top entry of a judgment against me as requested without a trial.

* I *deny* the allegations, and hereby request a Court date to be set.

I Request (Circle One) **Jury Trial** **Non-Jury Trial**

If a Jury Trial is requested a Jury fee is required.

Defendant's Signature

* This is a "general denial" which will prevent a default judgment from being entered against the defendant. Other matters may have to be specifically stated. Consult an attorney or read "Rules of Court" yourself.

Hearing(s) will be held at Justice of the Peace, Precinct Four – 211 North Temple, Diboll, TX 75941

I can be notified of further proceedings in this case at:

Home Address: _____

Home Telephone: _____ Secondary Number: _____

***** You are required to provide the Plaintiff with a copy of the written answer*****