MANUFACTURED HOMES EVICTION

NOTICE

Please read over your paperwork carefully and complete all forms provided.

If you fail to provide ALL of the information required, your case may be dismissed

- The Judge and Clerks are prohibited from providing legal advice or assisting in filling out forms. ALL forms in the packet should be completed and filed to the Court.
- A copy of the Texas Rules for Civil Procedure (Sec. 510 covers Evictions) and the Texas Property Code (Chapter 24 covers Forcible Detainers/Evictions) are provided in our office for your review. You may also access these documents on our website <u>www.AngelinaCounty.net</u>
- □ You **must** provide the court with the original, a copy for your records, and 1 copy per defendant (if 2 defendants will be served, then you must provide a copy for each of them) of all documents filed with the court.
- □ You cannot discuss your case with the Judge outside of the hearing. <u>Make sure you</u> bring all evidence supporting your case to the hearing.
- □ We accept filings Monday thru Friday from 8:00 am to 4:00 pm
- □ We do NOT serve Out of County Citations. Please notify the clerk so you are not charged for service on an Out of County Citation.
- □ If your suit is settled out of court and you no longer wish to come to your hearing, please file it in writing with the Court. You may use the form for Non Suit located on our website if you wish.

	<u>Court Fees</u>		<u>Constable Fees</u>
Notice to Vacate			\$ 20.00/\$ 30.00
Filing of Petition	\$ 46.00	Service of Citation	\$ 90.00/per Defendant Served
Writ of Possession	\$ 20.00	Execution of Writ	\$ 90.00
	(\$5.00 per page X 4 pages)		
Abstract of Judgment	\$ 5.00		

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:		rmation	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 m	iost important iss	ue in the ca	se (select only 1):		
☐ Debt Claim : A debt claim case is a larecover a debt by an assignee of a claim, or collection agency, a financial institutio entity primarily engaged in the business or at interest. The claim can be for no more excluding statutory interest and court cost attorney fees, if any.	a debt collector n, or a person or of lending money re than \$10,000,	possessior A claim t amount o	<i>ion:</i> An eviction case is a lawsuit brought to recover a of real property, often by a landlord against a tenant. For rent may be joined with an eviction case if the f rent due and unpaid is not more than \$10,000, statutory interest and court costs but including attorney 7.		
□ 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.		☐ <i>Small Claims:</i> 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.			

Eviction Case Packets

Cases may be filed Monday thru Friday from 8:00am to 4:00pm Beginning September 1, 2017 Cost is \$46.00 to file and \$90.00 per person served.

		CAUSE NO			
	vs.		Plaintiff	§	IN THE JUSTICE COURT
vs				§	PRECINCT
			Defendant(s)§	ANGELINA COUNTY, TEXAS
	SWOR	I COMPLAINT FOR EVICTION	FOR MANUFACT	URED H	OME COMMUNITY
le		home community. Landlord is not	-		ery for the eviction of Tenant(s) with a writter ed home or recreational vehicle. Owner of th
CC (ir	OMPLAINT: Plaintiff (I	andlord) hereby complains of the L ured home lot, any area or facilities		•	l above for eviction of Plaintiff's premises erooms and parking areas) located in the
St	reet Address	Unit No. (If any)	City		Zip
				e at home	e or work or by alternative service as allo

4. UNPAID RENT AS GROUNDS FOR EVICTION: Defendant(s) failed to pay rent for the following time period(s):

______. TOTAL DELINQUENT RENT AS OF DATE OF FILING IS: \$______ 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. Rental Subsidy (if any) \$______, Tenant's Portion \$______, TOTAL MONTHLY RENT \$______, Daily rent \$______

- 5. OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS: Lease Violations (if other than non-paid rent list lease violations)
- 6. **HOLDOVER AS GROUNDS FOR EVICTION:** Defendant(s) are unlawfully holding over since failing to vacate at the end of the rental term or renewal of extension period, which was the ______ day of ______, 20____.
- 7. NOTICE TO CURE & NOTICE TO VACATE: Plaintiff has given Defendant(s) written notice to cure delivered to Defendant(s) on the ______ day of ______, 20 ____, by personal delivery or by mail. The time for cure has passed and the Defendant(s) has not cured. Plaintiff has given Defendant(s) Written Notice to Vacate and Demand for Possession. Such notice was delivered on the ______ day of ______, 20 ____, delivered by this method: ______
- 8. ATTORNEY'S FEES: Plaintiff will be or will NOT be seeking applicable attorney's fees. Attorney's name, address, phone & fax numbers are:
- 9. BOND FOR POSSESSION: If Plaintiff will file a bond for possession, Plaintiff requests (1) the amount of Plaintiff's bond and Defendant's counter bond be set, (2) that Plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s).
- 10. REQUEST FOR JUDGMENT: Plaintiff prays that Defendant(s) be served with citation and that Plaintiff have judgment against Defendant(s) for: possession of premises, including removal of Defendant(s) and Defendants' 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 rental contract, or if not so stated, at the statutory rate for judgments under Civil Statutes Article 5069-1.05.
- 11. I consent for the answer and any other motions or pleadings to be sent to my email address which is:

Petitioner's Printed Name	Signature of Plaintiff (Landlord/Property Owner) or A				
DEFENDANT(S) INFORMATION (if known): DATE OF BIRTH:	Address of Pla	intiff (Landlord/Property Ow	vner) or Agent		
*LAST 3 NUMBERS OF DRIVER LICENSE:	City	State	Zip		
*LAST 3 NUMBERS OF SOCIAL SECURITY:					
DEFENDANT'S PHONE NUMBER:	Phone & Fax N	Io. of Plaintiff (Landlord/Pro	perty Owner)or agent		
vorn to and subscribed before me this day of	, 20				
JP Evict. Man Home Petition. Rev.08/2013	CLERI	OF THE JUSTICE COURT OR	R NOTARY		

Case No:
(Print court information exactly as it appears on your Petition)

			Ju	stice Court Preci	
			Ar	ngelina County, T	exas
		Military	Status Affidav	/it	
	ate of Texas, County of				
(Pri	int the name of county where this Affidav	it is notarized)			
	e person who signed this a stary, and stated under oath		eared, in person	, before me, the	undersigned
1.	"My name is:				
	First	Mi		Last	
2.	"The Respondent's name is:		Middle		1.001
~		First			Last
J.	"I am the Petitioner in this ca knowledge of the facts state correct.				
(Cł	heck all boxes that apply)				
	me that the Respondent is n "I attached a true copy of the DMDC verification. You can print a https://www.dmdc.osd.mil/appj/scr	e DMDC ver	ification. (If you che MDC verification from 5.)	eck this box, you mu this web address:	st attach a copy of t
	"I know that the Respondent	t is not now	in the military bec	ause:	
	"I know that the Respondent ""I do not know if the Respon			ause:	
	"I do not know if the Respon	dent is in th	e military now.		
	"I do not know if the Respon <i>! Do no</i>	dent is in th ot sign until	e military now. you are in front of		
	"I do not know if the Respon	dent is in th ot sign until	e military now. you are in front of		
	"I do not know if the Respon <i>! Do no</i>	dent is in th ot sign until g Affidavit	e military now. you are in front of	a notary !	· · · · · · · · · · · · · · · · · · ·
Sta	"I do not know if the Respon ! Do not Signature of Person Signin	dent is in th ot sign until g Affidavit	e military now. you are in front of	a notary ! Date	
Sta Sw	"I do not know if the Respon <i>! Do no</i> Signature of Person Signin Detary fills out below. ate of Texas, County of	dent is in th ot sign until g Affidavit e, the undersi	e military now. you are in front of	<i>a notary !</i> Date	

Cause No. _____

§ § §

§

Plaintiff(s)			
Vs.			

IN THE JUSTICE COURT

PRECINCT ____ ANGELINA COUNTY, TEXAS

Defendant(s)

CERTIFICATE OF LAST KNOWN MAILING ADDRESS

I, _____, the undersigned, does

hereby certify that the last known address of the Defendant(s) is as follows:

Name:

Street Address:

City, State, Zip

Certified to by,

Print Name

Signature

Date

The Texas Rules for Civil Procedure and the Texas Property Code are kept for your viewing during normal business hours and are available on our website at <u>www.AngelinaCounty.net</u>

Self Help Resources

Angelina County - <u>www.angelinacounty.net</u>

Department of Defense Official Servicemembers Civil Relief Act (SCRA) Website - www.dmdc.osd.mil

Texas Constitution and Statutes: <u>www.statutes.legis.state.tx.us</u> This site provides complete access to all Texas Codes

Texas Secretary of State: <u>http://www.sos.state.tx.us/corp/publicinfo.shtml</u>

Texas Supreme Court: <u>www.supreme.courts.state.tx.us</u> This site provides access to the complete Rules of Civil Procedure and Rules of Evidence

Texas Legislature Online: <u>www.legis.state.tx.us</u> This site allows the user to track past and pending House and Senate Bills

Call The State Bar of Texas Toll-Free at 1-877-9TEXBAR if you need help locating an attorney, you may be eligible for free or low-cost legal assistance or by website <u>www.texasbar.com</u>

Texas Law Help. Org - What is TexasLawHelp.org? TexasLawHelp.org is a website where low-income Texans can find information about their civil legal issues and find out about free legal assistance in their area. <u>www.TexasLawHelp.org</u>

Legal Services Corporation - http://www.lsc.gov

The State Law Library – <u>https://www.sll.texas.gov</u>

Lone Star Legal Aid Library – 800-354-1889 414 East Pillar St. – Nacogdoches, TX 75961-5511

Kurth Memorial Library: <u>www.kurthmemoriallibrary.com</u> Address: 706 S. Raquet St. .. Lufkin, TX 75904 -- Phone: 936-630-0560 Kurth Memorial Library is open 10am to 7pm on Mondays, 9am to 6pm Tuesday through Thursday, 9am to 5:30 on Friday, and 9am to 1pm on Saturdays.