

Application for Order of Retrieval

Chapter 24A of the Texas Property Code establishes a procedure by which an affected party can petition a justice court to obtain the assistance of a peace officer to gain access to a residence or former residence to retrieve specific items of personal property.

If you are unable to enter your residence or your former residence to retrieve personal property belonging to you or your dependent because the current occupant is denying you entry, you may apply to the justice court for an order authorizing you to enter the residence accompanied by a sheriff, a constable or their deputies to retrieve specific items of personal property. Only items on the following list may be retrieved under this order:

- A) medical records
- B) medicine and medical supplies
- C) clothing
- D) child-care items
- E) legal or financial documents
- F) checks or bank or credit cards in your name
- G) employment records
- H) personal identification documents

***** Important*****

If the items you are requesting are not listed above, an Order of Retrieval can NOT be issued. Seek other legal remedies to obtain any items not listed above.

If you are under a Court Order, Restraining Order, Emergency Protective Order, or any other Order prohibiting you from the location of your property or the Occupant (resident) residing at the location of your property, an Order of Retrieval can NOT be issued.

What you need to file:

- ▶ Complete this application in its entirety.
- ▶ Cost to file is \$46.00 + \$35.00 for posting of the Hearing Notice = **\$81.00 due at filing**
- ▶ A hearing will be set within 2 days of the application being filed.
- ▶ At the Hearing you will be required to post a bond if the Order for Retrieval is issued. If you are planning on using Individual Sureties, they will be required to appear at the hearing.
- ▶ If an Order for Retrieval is issued by the Court, you will be required to pay a fee of \$35.00 for the execution of the order.

In the Justice Court, Precinct One, Angelina County, Texas

CASE NO. _____

Application for Order of Retrieval

Applicant Name: _____ DOB: _____ DL No. _____

Applicant's Current Address: _____
Street Address City St Zip

Applicant's Phone No. (_____) _____ - _____ Hm Cell Wk

Applicant's Employer: _____

Applicant's Employer's Address _____

Applicant's Employer's Phone Number: (_____) _____ - _____

Respondent's Name: _____ DOB: _____ DL No. _____

Respondent's Address: _____
Street Address City St Zip

Respondent's Phone Number: (_____) _____ - _____ Hm Cell Wk

Respondent's Employer: _____

Respondent's Employer's Address: _____

Respondent's Employer's Phone Number: (_____) _____ - _____

Is the Respondent currently available to be notified of the hearing? Yes No

Address where the property you are requesting is located:

Street Address City St Zip

I, _____, certify that I have been denied entry where my requested property is currently located.

I, _____, certify that I am NOT under any Court Order, i.e., restraining order, protective order, or any other order or condition of bond, prohibiting me from the premises or the current occupant of the premises. (if you are prohibited by court order from the premises or occupant of the premises where your property is located, an Order for Retrieval can NOT be issued).

I certify that the above statements are true.

Signature:

Date:

Check items that you are requesting.

- medical records
- medicine and medical supplies
- clothing
- child-care items
- legal or financial documents
- checks or bank or credit cards in your name
- employment records
- personal identification documents

If any items that you are requesting are not listed above, an Order for Retrieval can NOT be issued. Seek alternative legal remedies to obtain any property NOT listed above.

What personal potential harm to health and safety will you or your dependent minor child(ren) suffer if your property is not returned?

What documentation are you presenting with this application to prove you were/are authorized to occupy the premises where your property is located?

If you have no documentation, please complete the following, but do NOT sign until you are in front of the court clerk or notary.

I, _____, swear that I reside(d) at _____
Print Name Address where property is located
from _____ to _____.

Signature

Date

Sworn and Subscribed before me on this the _____ day of _____, 20_____.

 Court Clerk Notary

Applicants Printed Name:

Applicants Signature

Date

The New Rules for Civil Procedure and the Texas Property Code are kept for your viewing during normal business hours. Please check with the clerk.

Helpful Resources

Angelina County – www.angelinacounty.net

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

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

Texas Constitution and Statutes: www.statutes.legis.state.tx.us

This site provides complete access to all Texas Codes

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

Texas Supreme Court: www.supreme.courts.state.tx.us

This site provides access to the complete Rules of Civil Procedure and Rules of Evidence

Texas Legislature Online: www.legis.state.tx.us

This site allows the user to track past and pending House and Senate Bills

Kurth Memorial Library: www.kurthmemorallibrary.com

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.

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.

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. www.TexasLawHelp.org

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

Lone Star Legal Aid Library – 800-354-1889

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