

Administrative Hearing / Tow Hearing Request

You may file a request for Tow Hearing within 14 days (not including weekends or holidays) from the day the vehicle was towed.

A fee of \$35.00 (\$25 filing fee and \$10 statewide electronic filing fee) is due at filing.

We accept cash (for the exact amount), check, or money order (Made payable to JP1).

The request for tow hearing must be provided in writing and must provide specific information. This form is provided for your convenience. You are not required to use this form, but the information required by law must be provided on the paperwork provided to the Court.

Be accurate and thorough. It is your responsibility to provide ALL information required for this filing. Failure to provide the required information or incomplete/incorrect information may result in a dismissal of your hearing.

When your request is filed with the Court, you will receive a Hearing Notice in the mail with your court date and time. All petitions filed at this location will be heard at this location. 2311 East Lufkin Ave. Lufkin, TX 75901.

The Judge and the Clerks are prohibited from providing legal advice or assisting in completing your paperwork. If you need assistance, please seek out an attorney.

Justice Court Civil Information Sheet

CAUSE NUMBER (FOR CLERK USE ONLY): _____

STYLED _____ **vs.** _____

(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:	2. Names of parties in case:
<p>Name: <input style="width: 250px; height: 20px;" type="text"/> Telephone: <input style="width: 150px; height: 20px;" type="text"/></p> <p>Address: <input style="width: 250px; height: 20px;" type="text"/> Fax: <input style="width: 150px; height: 20px;" type="text"/></p> <p>City/State/Zip: <input style="width: 250px; height: 20px;" type="text"/> State Bar No: <input style="width: 150px; height: 20px;" type="text"/></p> <p>Email: <input style="width: 450px; height: 20px;" type="text"/></p> <p>Signature: _____</p>	<p>Plaintiff(s): <input style="width: 350px; height: 50px;" type="text"/></p> <p>Defendant(s): <input style="width: 350px; height: 80px;" type="text"/></p> <p style="font-size: small;">[Attach additional page as necessary to list all parties]</p>
3. Indicate case type, or identify the most important issue in the case (<i>select only 1</i>):	
<p><input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>	<p><input type="checkbox"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.</p>
<p><input type="checkbox"/> 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.</p>	<p><input type="checkbox"/> Small Claims: 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.</p>

Justice of the Peace, Precinct One, Angelina County, Texas

Request for Tow or Boot Hearing

Texas Occupations Code Chapter 2308, Subchapter J. -- Rights of Owners and Operators of Stored Vehicles

Instructions: The owner or operator of a vehicle towed and placed in a vehicle storage facility, or booted, without consent, is entitled to a hearing on whether probable cause existed for the removal or booting of the vehicle. Any Justice Court in the County in which the vehicle was towed or booted may hear the case. A person entitled to a hearing must deliver a written request for the hearing to **the Justice Court your are filing in**. The request for hearing must be delivered before the 14th day after the date the vehicle was removed and placed in the vehicle storage facility, or booted (not counting Saturdays, Sundays and legal holidays) or the right to a hearing is waived. The Request for Hearing must be completed with specified information. **Justice of the Peace, Precinct One, Angelina County, Texas accepts filing Monday thru Friday from 8:00 am to 4:00pm**

At the time of filing, a fee of \$30 (\$20 filing fee and \$10 statewide electronic filing system fund fee) must be paid by cash (exact amount), check or money order.

A parking facility owner may be a natural person – an individual, or a person doing business in the form of a sole proprietorship or partnership, or a corporation, or some form of limited liability company. The legal nature of the business determines how notice is to be directed and upon whom the notice is to be served.

Except for sole proprietorships and partnerships, every business operating in Texas is required to make a filing with the Texas Secretary of State. Individuals, partnerships, corporations, or other business entities doing business in another name must file an assumed name certificate in the county. To determine the legal nature of a business entity, you may:

- Go to the Assumed Names Records maintained by the Angelina County Clerk
- Contact the Corporation Division of the Office of the Secretary of State at 512-463-5555, or go to the Texas Secretary of State’s web page, at <http://www.sos.state.tx.us/corp/publicinfo.shtml>, to contact a public information specialist.
- Contact the Office of the State Comptroller at 1-800-252-1386.

*** You must attach a copy of the Receipt from the Towing Company or Vehicle Storage Facility.**

Tow Trucks, Operators, Vehicle Storage Facilities and Booting Companies are licensed by the Texas Department of Licensing and Regulation. For questions, complaints, or additional information about go to <http://www.license.state.tx.us/towing/towing.htm> or call the TDLR at 800-803-9202.

**Request for Hearing under Chapter 2308, Texas Occupations Code
(Rights of Owners and Operators of Stored or Booted Vehicles)**

Name of Vehicle’s Owner or Operator: _____

Address: _____

City: _____ State: _____ Zip code: _____

Daytime Telephone _____ Cell: _____ Fax: _____

Email address: _____ The person requesting the hearing is the owner operator of vehicle

Description of Vehicle – Make: _____ Model: _____ Year: _____

License Plate – State: _____ Number: _____ Date towed or booted: _____

Location from which Vehicle was towed or booted: _____

Name of Parking Facility from which Vehicle was towed or in which Vehicle was booted: _____

Parking Facility Owner Authorizing Removal

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Law Enforcement Agency Authorizing Removal

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Instructions: Complete only if you do not have a Receipt from the Vehicle Storage Facility

Vehicle Storage Facility in Which the Vehicle Was Placed

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Do you have possession of the vehicle? Yes No

Towing Company That Removed the Vehicle or Booting Company that Installed the Boot on the Vehicle

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Booting Company Installing Boot on the Vehicle

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Please check the appropriate information:

- I paid the costs of the tow and storage in the amount of \$_____.
- I have attached a copy of the receipt and/or of the notification of rights to this Request for Hearing.
- I have attached photograph(s) that show the location and text of signs posted restricting the parking of vehicles.
- (If the Vehicle was removed from a parking facility) I have attached photograph(s) that show the location and text of signs posted restricting the parking of vehicles at the parking facility.
- I want to recover the costs of the photographs in the amount of \$_____.
- No signs restricting parking were posted at the parking facility.
- I was charged or paid a towing charge greater than the amount authorized. I paid a Towing Charge of \$_____.

*Describe the circumstances of the tow: _____

SIGNED on _____

Signature of Owner/Operator of Vehicle

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

414 East Pillar St. – Nacogdoches, TX 75961-5511