EVICTIONS (for Justice Court)

NOTICE

Read over your paperwork carefully and complete all forms included in the packet. If you fail to provide ALL of the information required, the case may be dismissed. It is best to have an Attorney, but if you choose to represent yourself, you are responsible for your case. **Refer to the Self Help Resources for assistance.**

Effective January 1, 2022, Justice Court Civil Filing Fee has increased to **$54.00**

- The Judge and Clerks are prohibited from providing legal advice or assisting in filling out forms.
- **Please refer to www.AngelinaCounty.net to access the County Maps link to determine the precinct/office you should file in and that office's hours of operation, hours they accept civil filings, and the methods of payment accepted.**
- If you are a Pro Se Litigant (Not represented by an Attorney), it is your responsibility to be familiar with the laws that govern Evictions. Copies of the **Texas Rules for Civil Procedure** *(Sec. 510 covers Evictions)* and the **Texas Property Code** *(Sec. 24 covers Forcible Detainers/Evictions. Sec. 24.005 covers Notices to Vacate)* are provided in our office for your review during normal business hours. You may also access the links on our website www.AngelinaCounty.net under Justice of the Peace, Civil Court page. **The Court CANNOT assist you with your case. Utilize the resources provided.**
- Forms are located on our website under Justice of the Peace, Civil Court Forms. You **must** provide the court with 1 original, 1 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 the petition and all documents supporting the petition.
- The Judge cannot discuss your case outside of the hearing. **Make sure you bring all evidence supporting your case to the hearing.**
- 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.

Court Fees:		**Constable Fees:**	
Filing of Petition	$ 54.00	Service of Citation	$ 90.00 per defendant
Writ of Possession	$ 20.00 ($5.00 per page X 4 pages)	Service of Writ	$ 90.00
Abstract of Judgement	$ 5.00		

CAUSE NO. _____

_____**Plaintiff**	**§**	**IN THE JUSTICE COURT**
VS.	**§**	**PRECINCT 1**
_____**Defendant(s)**	**§**	**ANGELINA COUNTY, TEXAS**

SWORN COMPLAINT FOR EVICTION FOR MANUFACTURED HOME COMMUNITY

1. This is a suit brought by a Landlord under Chapter 94, Property Code with Level 1 Discovery for the eviction of Tenant(s) with a written lease in a manufactured home community. Landlord is not the owner of the manufactured home or recreational vehicle. Owner of the manufactured home community is: _____.
2. **COMPLAINT:** Plaintiff (Landlord) hereby complains of the Defendant(s) (Tenants) named above for eviction of Plaintiff's premises (including the manufactured home lot, any area or facilities authorized by the lease, storerooms and parking areas) located in the above precinct. Address of the property is:

_____

Street Address **Unit No. (If any)** **City** **Zip**

3. **SERVICE OF CITATION:** Service is requested on Defendant(s) by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other service of papers address/addresses (if knows) are:

_____

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 Agent

_____
Address of Plaintiff (Landlord/Property Owner) or Agent

_____
City State Zip

_____
Phone & Fax No. of Plaintiff (Landlord/Property Owner)or agent

DEFENDANT(S) INFORMATION (if known):
DATE OF BIRTH:_____
*LAST 3 NUMBERS OF DRIVER LICENSE:_____
*LAST 3 NUMBERS OF SOCIAL SECURITY:_____
DEFENDANT'S PHONE NUMBER:_____

Sworn to and subscribed before me this ____ day of _____, 20___. _____
CLERK OF THE JUSTICE COURT OR NOTARY

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

Cause Number: _____

_____

_____

_____

_____

_____

In the _____
Court Number

☐ District Court
☐ County Court at Law
☐ Justice Court

_____ County,
County Name Texas

Military Status Declaration

(Check only one)

☐ I am signing this affidavit in front of a notary public.
DO NOT SIGN THIS DOCUMENT UNTIL YOU ARE IN FRONT OF A NOTARY PUBLIC.

☐ I am signing this document **under penalty of perjury** under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1. "My name is: _____.
First Middle Last
2. "I am the Petitioner in this case.
3. "I am at least 18 years old.
4. "I am of sound mind.
5. "I have personal knowledge of the facts stated in this declaration.
6. "The facts stated in this declaration are true and correct.
7. "I understand that if I make or use a military status affidavit or declaration, knowing it to be false, I may be fined, imprisoned for not more than one year, or both. See 50 U.S.C. App. Section 521(c).
8. "The Respondent's name is: _____.
First Middle Last
9. "The Respondent's military status is:

☑ **Check all boxes that describe your situation.**

☐ The Respondent is in the military now.

☐ I know the Respondent is **not** in the military now because I searched the U.S. Department of Defense's Defense Manpower Data Center (DMDC) database. According to the results of the search of the DMDC database, Respondent is not on active duty in any of the armed forces. I have attached a true copy of the DMDC verification.

(If you check the box above, you must attach a copy of the DMDC verification. You can print a copy of the DMDC verification from this web address: https://scra.dmdc.osd.mil/scra/.

☐ I know the Respondent is **not** in the military now because: _____

_____

© Texaslawhelp.org

☐ I do not know if the Respondent is in the military now.

Signature

If you DO NOT have access to notary public services, sign below.

My name is _____. My date of birth is _____.

My address is _____.
street city state ZIP country

I declare **under penalty of perjury** that all information in this Military Status Declaration is true and correct.

Signed in _____ County, _____ (state),

on this date: _____/_____/_____
Month/ Day/ Year/

▶ _____
Your Signature

WARNING: Under Texas Civil Practice and Remedies Code 132.001, an unsworn declaration may be used in lieu of a written sworn declaration, verification, certification, oath, or affidavit required by statute or required by a rule, order, or requirement adopted as provided by law. This provision does not apply to a lien required to be filed with a county clerk, an instrument concerning real or personal property required to be filed with a county clerk, or an oath of office or an oath required to be taken before a specified official other than a notary public. An unsworn declaration made under this section must be 1) in writing, 2) signed by the person making the declaration as true under penalty of perjury and 3) in substantially the form used above. Perjury is a crime in Texas. See Texas Penal Code 37.02 and 37.03.

If you DO have access to notary public services, sign below—but not until you are in front of a notary public.

_____
Petitioner's signature

Notary fills out below

State of Texas,

County of _____
(Print the name of county where this affidavit is notarized.)

Sworn to and subscribed before me, the undersigned Notary, on date: _____

by _____.
(Print the first and last names of the person signing this affidavit.)

I, the Notary Public, who signature appears below, certify that I am not an attorney in this case.

(Notary's seal here)

▶ _____
Notary's signature

© Texaslawhelp.org

Cause No. _____

_____	§	IN THE JUSTICE COURT
Plaintiff(s)	§	
Vs.	§	PRECINCT _____
_____	§	
Defendant(s)	§	ANGELINA COUNTY, TEXAS

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 www.AngelinaCounty.net

Self Help Litigant Resources

Angelina County – www.angelinacounty.net

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: www.sos.state.tx.us/corp/publicinfo.shtml

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

Legal Services Corporation - www.lsc.gov

The State Law Library – www.sll.texas.gov

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

Texas Justice Court Training Center Self Represented Litigants: https://www.tjctc.org/SRL.html

The Office of Court Administration – www.TXCourts.gov

This website is funded in part by a grant from the Legal Services Corporation. It is the result of a partnership between Lone Star Legal Aide, the Texas Office of Court Administration, Texas Legal Services Center, and the Texas Access to Justice Commission. www.TexasCourtHelp.gov

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

Kurth Memorial Library: www.kurthmemoriallibrary.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.