

**Plaintiff's Petition for Eviction**

STATE OF TEXAS

Cause No. \_\_\_\_\_

COUNTY OF ROCKWALL

With suit for Rent

File Date: \_\_\_\_\_

Court Date: \_\_\_\_\_

Time: \_\_\_\_\_

**TO THE HONORABLE JUDGE CATHY PENN, JUSTICE OF THE PEACE IN AND FOR PRECINCT TWO:**

PLAINTIFF \_\_\_\_\_  
(Landlord/Property Name)

Rental Subsidy (if any) \$ \_\_\_\_\_

Tenant's Portion \$ \_\_\_\_\_

TOTAL MONTHLY RENT \$ \_\_\_\_\_

VS.  
DEFENDANT(S): \_\_\_\_\_

**COMPLAINT:** Plaintiff (Landlord) hereby complains of the defendant(s) named above for eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

Street Address Unit No. (if any) City State Zip

**CHECK ALL THAT APPLY**

1. **SERVICE OF CITATION:** Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are:

\_\_\_\_\_

2.  **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.*

3.  **OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS:** Lease Violations (if other than non-paid rent – list lease violations)

\_\_\_\_\_

4.  **HOLDOVER AS GROUNDS FOR EVICTION:** Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal of extension period, which was the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

5. **NOTICE TO VACATE:** Plaintiff has given defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the \_\_\_\_\_ day of \_\_\_\_\_ and delivered by this method:

\_\_\_\_\_

6. **ATTORNEY'S FEES:** Plaintiff  will be or  will NOT be seeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are: \_\_\_\_\_

7.  **BOND FOR POSSESSION:** If Plaintiff has filed a bond for possession, plaintiff requests (1) that 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).

**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 defendants 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.

I give my 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

**DEFENDANT(S) INFORMATION** (if known):

DATE OF BIRTH: \_\_\_\_\_

\_\_\_\_\_  
Address of Plaintiff (Landlord/Property Owner) or Agent

\*LAST 3 NUMBERS OF DRIVER LICENSE: \_\_\_\_\_

\*LAST 3 NUMBERS OF SOCIAL SECURITY: \_\_\_\_\_

\_\_\_\_\_  
City State Zip

DEFENDANT'S PHONE NUMBER: \_\_\_\_\_

\_\_\_\_\_  
Phone & Fax No. Of Plaintiff (Landlord/Property Owner) Or Agent

SUIT TO EVICT  
THIS SUIT TO EVICT INVOLVES IMMEDIATE DEADLINES.

**A TENANT WHO IS SERVING ON ACTIVE MILITARY DUTY MAY HAVE SPECIAL RIGHTS OR RELIEF RELATED TO THIS SUIT UNDER FEDERAL LAW, INCLUDING THE SERVICEMEMBERS CIVIL RELIEF ACT (50 U.S.C. APP. SECTION 501 ET SEQ.), OR STATE LAW, INCLUDING SECTION 92.017, TEXAS PROPERTY CODE.**

CALL THE STATE BAR OF TEXAS TOLL-FREE AT 1-877-9TEXBAR IF YOU NEED HELP LOCATING AN ATTORNEY. IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, YOU MAY BE ELIGIBLE FOR FREE OR LOW-COST LEGAL ASSISTANCE.

DEMANDA DE DESAHUCIO (DESALOJO).

ESTA DEMANDA DE DESAHUCIO TIENE FECHAS LÍMITES QUE ENTRAN EN VIGOR DE INMEDIATO.

**EL ARRENDATARIO (INQUILINO) QUE ESTÉ DESEMPEÑANDO SUS FUNCIONES EN EL SERVICIO MILITAR PUEDE TENER DERECHOS ESPECIALES O PROTECCIÓN EN CONEXIÓN CON ESTA DEMANDA CONFORME A LAS LEYES FEDERALES, INCLUIDA LA LEY DE PROTECCIÓN PARA MIEMBROS DE LAS FUERZAS ARMADAS (SECCIÓN 501 Y SIGUIENTES DEL APÉNDICE DEL CAP. 50 DEL CÓDIGO DE LOS ESTADOS UNIDOS) O CONFORME A LAS LEYES ESTATALES, INCLUIDA LA SECCIÓN 92.017 DEL CÓDIGO DE PROPIEDAD DE TEXAS.**

PARA ASISTENCIA EN LOCALIZAR A ABOGADO COMUNÍQUESE A LA ASOCIACIÓN DE ABOGADOS DE TEXAS AL NUMERO GRATUITO 1-877-9TEXBAR EN CASO DE NO PODER PAGAR UN ABOGADO. TAL VEZ CALIFIQUE PARA ASISTENCIA LEGAL GRATUITA O BAJO-COSTO.

WHEREFORE, PREMISES CONSIDERED, plaintiff requests that Defendant be cited to answer the complaint: and upon final hearing;

Plaintiff PRAYS that Defendant be adjudged GUILTY of forcible detainer; that restitution of the leased premises be made to the Plaintiff; and that Plaintiff recover of Defendant judgment for the amount which Plaintiff may show the court it is entitled to recover including rent, interest, attorney's fees and costs, and for such other relief as Plaintiff may show entitlement.

#### Declaration

By my signature, I attest under penalty of perjury, that the information contained in this petition is true and correct.

\_\_\_\_\_  
Plaintiff's Signature

\_\_\_\_\_  
Agent or Attorney's Signature

\_\_\_\_\_  
Date

Email: [JP2Court@rockwallcountytexas.com](mailto:JP2Court@rockwallcountytexas.com)

Said Plaintiff (or his agent or attorney), being duly sworn by me, the undersigned authority, upon oath says that the facts as stated in the above instrument are, within the knowledge of said affiant, true and correct.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge / Court Clerk / Notary Public

SEAL

**SERVICEMEMBERS CIVIL RELIEF ACT**

AFFIDAVIT  
50 USC Sec.520

**Cause No.** \_\_\_\_\_

Plaintiff being duly sworn on his oath deposes\* and says that defendant(s) is (are)

**CHECK ONE**

\_\_\_\_\_ not in the military

\_\_\_\_\_ not on active duty in the military and/or

\_\_\_\_\_ not in a foreign country or military service

\_\_\_\_\_ on active military duty and/or is subject to the  
Servicemembers Civil Relief Act of 2003

\_\_\_\_\_ has waived his/her rights under the Servicemembers Civil Act of 2003

\_\_\_\_\_ military status is unknown at this time

\_\_\_\_\_  
PLAINTIFF

\_\_\_\_\_  
DATE

Subscribed and sworn to before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Clerk of the Justice Court

SEAL

**\*Penalty for making or using false affidavit – a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in Title 18, United States Code, or imprisoned for not more than one year, or both.**