

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

**PETITION: SMALL CLAIMS CASE**

**For Court Use**

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

**STATE OF TEXAS**  
COUNTY OF ROCKWALL

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

**PLAINTIFF**

Name \_\_\_\_\_

Address \_\_\_\_\_

City, Zip \_\_\_\_\_

Phone # \_\_\_\_\_

In the Justice Court Precinct 2

vs

Of

**DEFENDANT**

Name \_\_\_\_\_

Rockwall County Texas

Address \_\_\_\_\_

City, Zip \_\_\_\_\_

Phone # \_\_\_\_\_

**COMPLAINT:** The basis for the claim which entitles the plaintiff to seek relief against the defendant is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RELIEF:** Plaintiff seeks damages in the amount of \$\_\_\_\_\_, and/or return of personal property as described as follows (be specific): \_\_\_\_\_, which has a value of \$\_\_\_\_\_.

Additionally, plaintiff seeks the following:

\_\_\_\_\_  
\_\_\_\_\_

**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:

\_\_\_\_\_

If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address: \_\_\_\_\_.

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

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

\_\_\_\_\_  
Address Of Plaintiff's Attorney, If any, or Plaintiff if none

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

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

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

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

EMAIL: \_\_\_\_\_

\_\_\_\_\_  
Phone & Fax No. Of Plaintiff's Attorney, if any, or Plaintiff if none

**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

# SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

## 50 USC Sec.520

**Instructions:** The Servicemember's Civil Relief Act applies to a civil proceeding in the Justice Courts. Before entering a default judgment against an individual defendant, the plaintiff must file with the court an affidavit stating whether or not the defendant is in military service, showing necessary facts to support the affidavit, or stating that the plaintiff is unable to determine whether or not the defendant is in military service, if that is the case. The requirement for an affidavit may be satisfied by a written, signed document declared to be true under penalty of perjury. If it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If the court is unable to determine if the defendant is in military service, the court may require the plaintiff to file a bond in an amount approved by the court. To obtain certificates of service or non-service under the Servicemember's Civil Relief Act, you may access the public website: <https://www.dmdc.osd.mil/applj/scra/scraHome.do>. This website will provide the current active military status of an individual.

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

### CHECK ONE

- not in the military
- 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

### Declaration

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

\_\_\_\_\_  
Plaintiff's Printed Name

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

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

\_\_\_\_\_  
Date

**\*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.**