

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:

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

Email: JP2Court@rockwallcountytexas.com

Or:

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.

Sworn to and subscribed before me this _____ day of _____, 20____.

Clerk of The Justice Court Or Notary Public

SEAL

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

Or:

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.

Sworn to and subscribed before me this _____ day of _____, 20____.

Clerk of The Justice Court Or Notary Public

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.**