

GENERAL FILING INFORMATION

FILING SUIT: The Plaintiff is responsible for completing the petition. The Clerk can assist you with procedural questions. The Costs to file a civil action in Justice Court is \$61.00. Process of Service to each Defendant in Rockwall County is \$75.00.

*****If you are service a Defendant outside of Rockwall County, the Clerk will process your petition and provide you with the necessary documents required for service on the Defendant(s). It is your responsibility to locate the appropriate Constable or Sheriff in that County and request service through that County/Department.

SUIT ON CORPORATION: For more information regarding the Registered Agent, President or Vice-President of a Corporation or Company, consult the Secretary of State at 512-463-5555 or the State Comptroller's office at 800-252-1381.

LEGAL ASSISTANCE: This office does not provide legal counsel. Please consult the following agencies for guidance or consult your Attorney.

- | | | |
|-----------------------------|--------------|--|
| . State Bar of Texas | 800-204-2222 | www.texasbar.com |
| . Young Lawyers Association | 512-427-1529 | www.tyla.org |
| . Helping Hands – Rockwall | 972-771-4357 | 950 Williams St., Rockwall |
| . State Law Library | 844-829-2843 | www.sll.texas.gov |

ADDITIONAL INFORMATION REGARDING PROCESS AND LEGAL REMEDIES: Please consult the Texas Rules of Civil Procedure, Rules 500 Series.

CAUSE: _____

IN THE JUSTICE COURT
PRECINCT 1
ROCKWALL COUNTY

SMALL CLAIMS PETITION

PLAINTIFF: _____
NAME ADDRESS PHONE

VS.
DEFENDANT(S): _____
NAME ADDRESS PHONE

Defendant(s) Information (if known):
Date of Birth _____
Last 3 numbers of Driver License _____
Last 3 numbers of Social Security _____

PERSON TO BE SERVED (if a company): _____

COMPLAINT: The basis for the claim which entitles Plaintiff to seek relief against 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 Defendant(s) by personal service at home or work, or by alternative service as allowed by the Texas Rules of Civil Procedure. Other addresses where the Defendant(s) may be served are:

- I hereby request a jury trial. The fee is \$22 and must be paid at least 14 days before trial.
- I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows:

Petitioner/Plaintiff's Printed Name

Signature of Petitioner/Plaintiff or Plaintiff's Attorney

.....
SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____

Clerk of the Court or Notary

Cause No. _____

Plaintiff

Vs.

Defendant

AFFIDAVIT OF MILITARY STATUS

AFFIDAVIT
50 USC Sec.520

The Department of Defense Strongly supports the enforcement of the Service Members Civil Relief Act (SCRA), formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940. The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains official information regarding eligibility status of military personnel. You are strongly encouraged to obtain verification of the person's active duty status by contacting Department of Defense at the following link: <https://scra.dmdc.osd.mil/>. Failure to obtain Military Service verification could result in provisions of the SCRA being invoked against you.

Before me, the undersigned Justice of the Peace/Court Clerk/Notary personally appeared the below-named affiant, who under oath stated the following:

My name is _____
Plaintiff/Agent/Attorney

Being the plaintiff/agent/Attorney in the above case, I am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct. Plaintiff being duly sworn on his oath deposes* and says that defendant(s):

CHECK ONE:

- _____ Is (are) NOT on active duty in the U.S. Military
- _____ IS (ARE) on active duty in the U.S. Military and/or is subject to the Servicemembers Civil Relief Act of 2003
- _____ HAS (HAVE) been deployed by the U.S. Military to a foreign country
- _____ has (have) signed, while on active duty, a separate written waiver of his/her rights under the U.S. Service Members Civil Act (SCRA) of 2003

OR

- _____ Plaintiff or the undersigned (if the undersigned is acting as agent of plaintiff) is not able to determine whether any defendant is on active duty in the U.S. Military
- _____ Plaintiff or the undersigned (if the undersigned is acting as agent of plaintiff) is not able to determine whether any defendant, who is on active duty in the U.S. Military, has been deployed to a foreign country

PLAINTIFF

DATE

Subscribed and sworn to before me by _____, on this the _____ day of _____, 20____

Justice of the Peace/Court Clerk/Notary

*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.

