

SWORN COMPLAINT FOR FORCIBLE ENTRY AND DETAINER

Cause Number: _____ Court Date: _____ Court Time: _____, ____M.

Plaintiff(s): _____ § IN THE JUSTICE COURT
(Landlord as Stated in Lease) § Precinct 4
VS

Defendant(s): _____ § COLLIN COUNTY, TEXAS
(List all signers on the lease with DL or state ID number)

COMPLAINT: Plaintiff (Landlord) hereby complains of the defendant(s) named above for forcible detainer plaintiff's premises located in Collin County Justice of the Peace Precinct 4 to wit:

Street Address Apartment # City, State, Zip Phone #
Gate Code:
Unattached property address (ie: Garage or storage building)

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service under Rule 510.4. If necessary, alternative service is requested under Rule 510.4(c).

GROUND FOR EVICTION:

UNPAID RENTS: Defendant(s) failed to pay the following rent which was demanded by Plaintiff and which is still unpaid (use separate line for each month – DO NOT INCLUDE late fees or other non-rent sums, attach additional page if necessary):

Amount of rent \$ _____ due date: _____ Month: _____
Amount of rent \$ _____ due date: _____ Month: _____
Amount of rent \$ _____ due date: _____ Month: _____

What is monthly rental amount as shown in the lease: \$ _____ (do not include non-rent fees or add-ons)

Other grounds for eviction: _____

NOTICE: Written notice to vacate and demand for possession was given on _____
in the following manner: (Check One) [] Certified Mail [] Regular Mail [] Delivery In Person
[] Other _____
The lease is (check one): [] Written [] Oral

HOLDOVER: Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal or extension period, which was on the _____ day of _____, _____.

REQUEST FOR JUDGMENT: Plaintiff prays that defendant(s) be served with a citation and that plaintiff have Judgment against defendant(s) for:

- [] Possession of the premises, including removal of defendants and defendant's possessions from premises
[] Pay rents owed in the amount of \$ _____, plus all rents accruing through the date of Judgment.
[] Pay court costs. \$ _____
[] Pay reasonable attorney's fees \$ _____.

Plaintiff (Landlord) or authorized agent: _____

Address of Plaintiff
Phone # _____ FAX # _____ Date _____

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

Clerk of the Court or Notary Public

Evictions MUST be filed in the county and precinct where the property is located. It is your responsibility to know where to file. Filing fees are non-refundable.

JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

CAUSE NUMBER (FOR CLERK USE ONLY): _____

STYLED _____
 (e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:	2. Names of parties in case:										
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Name: _____</td> <td style="width: 50%; border: none;">Telephone: _____</td> </tr> <tr> <td style="border: none;">Address: _____</td> <td style="border: none;">Fax: _____</td> </tr> <tr> <td style="border: none;">City/State/Zip: _____</td> <td style="border: none;">State Bar No: _____</td> </tr> <tr> <td style="border: none;">Email: _____</td> <td></td> </tr> <tr> <td style="border: none;">Signature: _____</td> <td></td> </tr> </table>	Name: _____	Telephone: _____	Address: _____	Fax: _____	City/State/Zip: _____	State Bar No: _____	Email: _____		Signature: _____		Plaintiff(s): _____ _____ Defendant(s): _____ _____ _____ [Attach additional page as necessary to list all parties]
Name: _____	Telephone: _____										
Address: _____	Fax: _____										
City/State/Zip: _____	State Bar No: _____										
Email: _____											
Signature: _____											
3. Indicate case type, or identify the most important issue in the case (select only 1):											
<input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	<input type="checkbox"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.										
<input type="checkbox"/> Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	<input type="checkbox"/> Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.										

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

CAUSE NUMBER: _____

_____	PLAINTIFF	§	IN THE JUSTICE COURT
VS.		§	PRECINCT ____
_____	DEFENDANT	§	COLLIN COUNTY, TEXAS

My name is [please print] _____.

I am [check one] the plaintiff or an authorized agent of the plaintiff in the case described above. I am capable of making this affidavit. I have been duly sworn on oath and the facts in this affidavit are within my personal knowledge and are true and correct.

[check or fill in as applicable]

1. No defendant in this case is on active duty in the U.S. military (Army, Navy, Air Force, Marines or Coast Guard). The facts on which I base my conclusion are as follows: _____

2. Defendant [insert name(s)] _____ is on active duty in the U.S. military.

3. Defendant [insert name(s)] _____ has been deployed by the U.S. military to a foreign country.

4. Plaintiff and the undersigned (if the undersigned is acting agent of plaintiff) are not able to determine whether any defendant is in the U.S. military – except for any defendant named in 2 above.

5. Plaintiff and the undersigned (if the undersigned is acting as an agent of plaintiff) are not able to determine whether any defendant who is in the U.S. military has been deployed to a foreign country – except for any defendant named in 3 above.

6. Defendant [insert name(s)] _____ has signed, while on active duty, a **separate written waiver** of his or her rights under the U.S. Servicemembers Civil Relief Act of 2003.

Affiant

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

(Judge) (Clerk)
Justice Court, Precinct ____
Collin County, Texas

Notary Public in and for the State of Texas