

CAUSE NUMBER \_\_\_\_\_

Plaintiff, \_\_\_\_\_

IN THE JUSTICE COURT

vs.

PRECINCT \_\_\_\_\_

Defendant, \_\_\_\_\_

NUECES COUNTY, TEXAS

AND ALL OCCUPANTS

**EVICTIION COMPLAINT**

TO THE HONORABLE JUDGE OF THE COURT:

PLAINTIFF NAME      PHONE NO.      ADDRESS      STATE      ZIP

NAME OF AGENT      ATTORNEY      PHONE NO.      ADDRESS      STATE      ZIP

DEFENDANT NAME      PHONE NO.      ADDRESS      STATE      ZIP

1. THIS IS A LAWSUIT TO EVICT DEFENDANT, A TENANT WHO LEASES THE PROPERTY LOCATED AT \_\_\_\_\_.

2. THIS PROPERTY IS LOCATED WITHIN JUSTICE COURT PRECINCT \_\_\_\_\_ OF NUECES COUNTY, TEXAS.

3. THE OWNER/LANDLORD IS \_\_\_\_\_.

4. DEFENDANT RESIDES IN NUECES COUNTY, TEXAS AND MAY BE SERVED BY PERSONAL SERVICE OR BY ALTERNATIVE SERVICE, IF NECESSARY, WITH PROCESS AT THE ADDRESS OF THE LEASED PREMISES, DESCRIBED ABOVE. ANY WORK ADDRESSES OR OTHER ADDRESSES OF DEFENDANT KNOWN TO PLAINTIFF ARE AS FOLLOWS:

5. THE DEFENDANT RENTED THIS PROPERTY ON OR ABOUT \_\_\_\_\_.

6. PLAINTIFF ENTERED INTO AN ORAL WRITTEN AGREEMENT WITH THE DEFENDANT FOR OCCUPANCY OF THE LEASED PREMISES.

7. THE RENT IS \_\_\_\_\_ PER MONTH AND IS DUE ON THE \_\_\_\_\_ DAY OF EACH MONTH.

8. DEFENDANT HAS VIOLATED THE TERMS OF THE AGREEMENT BY: (check where applicable) FAILING TO PAY RENT FOR THE PERIOD BEGINNING \_\_\_\_\_ 20\_\_\_\_ THROUGH THE PRESENT.

BREACHING THE TERMS AND CONDITIONS OF THE AGREEMENT BY:

9. WRITTEN NOTICE TO VACATE, IN ACCORDANCE WITH THE APPLICABLE NOTICE REQUIREMENTS OF SECTION 24.005 OR SECTION 24.006, TEXAS PROPERTY CODE, AND DEMAND FOR POSSESSION WAS GIVEN ON \_\_\_\_\_ IN THE FOLLOWING MANNER:

CERTIFIED MAIL  
REGULAR MAIL

DELIVERY IN PERSON  
OTHER EXPLAIN \_\_\_\_\_

WHEREFORE, PLAINTIFF IS REQUESTING THE COURT TO EVICT THE DEFENDANT AND ORDER THE DEFENDANT TO:

PAY RENT OWED IN THE AMOUNT OF \_\_\_\_\_ PLUS ALL RENTS ACCRUING THROUGH THE DATE OF JUDGMENT.

PAY COURT COSTS AND/OR REASONABLE ATTORNEY FEES OF \_\_\_\_\_

PLAINTIFF SIGNATURE \_\_\_\_\_

PRINTED NAME OF PERSON SIGNING \_\_\_\_\_

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 true and correct and within the knowledge of said affiant.

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

\_\_\_\_\_  
Clerk of the Court / Notary Public

**MILITARY STATUS AFFIDAVIT**  
SERVICEMEMBERS CIVIL RELIEF ACT SEC. 201 (b)

Case No. \_\_\_\_\_ § In the Justice Court  
\_\_\_\_\_  
Plaintiff § Precinct \_\_\_\_\_  
vs. §  
\_\_\_\_\_  
Defendant § Nueces County, Texas

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_,  
who, under oath and penalty of perjury, stated that the following facts are true:

I am the Plaintiff Attorney of record for the Plaintiff in this proceeding:

Defendant **is not** in the military

Defendant, **is** in military service  
I know this because

I am unable to determine whether or not the Defendant is in military service.

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

\_\_\_\_\_  
Attorney of Record Signature

SWORN TO AND SUBSCRIBED BEFORE ME on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas  
Clerk of the Justice Court (STRIKE ONE)

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

# BOND FOR IMMEDIATE POSSESSION

Case No. \_\_\_\_\_

_____	§	In the Justice Court
<i>Plaintiff(s) (Landlord)</i>		
vs.	§	Precinct _____
_____ and all occupants	§	Nueces County, Texas
<i>Defendant(s) (Tenant's names)</i>		

*Plaintiff desires possession of the premises described in the above-styled case six days from date of service of notice of bond for possession, as provided under Rule 740, Texas Rules of Civil Procedure.*

We, the undersigned, as Principal and Sureties, acknowledge ourselves bound to pay to Defendant, the sum of \$1,000.00 dollars, being the probable amount of costs of suit and damages which may result to the Defendant in the event the above-styled and numbered suit has been improperly instituted, and conditioned that Plaintiff will pay Defendant all such costs and damages as shall be adjudged against him/her in said case.

WITNESS OUR HANDS THIS \_\_\_\_\_

**Principal** (signature) \_\_\_\_\_

Print name of Principal \_\_\_\_\_

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

**Surety** (signature) \_\_\_\_\_

Print name of Surety \_\_\_\_\_

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

**Surety** (signature) \_\_\_\_\_

Print name of Surety \_\_\_\_\_

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

## Order Setting and Approving Bond

The amount of Plaintiff's bond for possession has been fixed by me in the sum of **\$1,000.00** and this bond is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Justice of the Peace, Precinct \_\_\_\_\_  
Nueces County, Texas