

EVICTON FILING FEES

\$54.00 Filing Fee
\$100.00 Service Fee per person

Payment must be (2) separate checks or money orders:

Filing Fee make payable to: **BASTROP COUNTY JP #4**

Service Fee make payable to: **BASTROP COUNTY CONSTABLE #4**

BASTROP COUNTY JUSTICE COURT PCT. 4

LARRY A. DUNNE-JUDGE

1125 DILDY DRIVE

ELGIN, TEXAS 78621

512.581.7162 FAX # 512.581.7163



CAUSE NO. _____

 PLAINTIFF

 v.

 DEFENDANT

§
 §
 §
 §
 §
 §
 §
 §

IN THE JUSTICE COURT

 PRECINCT _____

 _____ COUNTY, TEXAS

PETITION: EVICTION CASE

COMPLAINT: Plaintiff hereby sues the following Defendant(s) (include name, email address, DOB, and last 3 digits of DL & SSN, if known) : _____

for eviction from Plaintiff's premises (including storerooms and parking areas) located in the above precinct. The address of the property is:

Street Address	Unit No. (if any)	City	State	Zip
----------------	-------------------	------	-------	-----

GROUNDS FOR EVICTION: Plaintiff alleges the following grounds for eviction:

- ☒ **Unpaid rent.** Defendant(s) failed to pay rent for the following time period(s):

The amount of rent claimed as of the date of filing is: \$_____. Defendant

☐ has or ☐ has not been late/delinquent in paying rent before the month in which notice was given. Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial.

- ☐ **Other lease violations.** Defendant(s) breached the terms of the lease (other than by failing to pay rent) as follows:

- ☐ **Holdover.** Defendant(s) are unlawfully holding over by failing to vacate at the end of the rental term or periodic tenancy, which ended on _____, 20_____.

- ☒ **Squatter.** Defendant(s) never had a right to possess the property and are unlawfully occupying the premises after a demand to surrender possession given on _____, 20____. Plaintiff ☐ has or ☐ has not attached a Motion for Summary Disposition under Rule 510.10.

- ☒ **Expiration of Tenancy at Will or by Sufferance.** Defendant(s) had no lease agreement and have failed to vacate the premises after being given a termination notice, if applicable, and a demand to surrender possession given on _____, 20____.

PRE-SUIT NOTICE: Plaintiff has given Defendant(s) a ☐ notice to vacate ☐ notice to pay or vacate (according to Property Code § 24.005(f-3) or (f-4)) and demand for possession. Such notice was delivered on _____, 20____ by this method: _____

SUIT FOR RENT: Plaintiff ☐ does or ☐ does not include a suit for unpaid rent.

ATTORNEY'S FEES: Plaintiff ☐ will be or ☐ will not be seeking applicable attorney's fees. The attorney's name, address, phone and fax numbers are:

IMMEDIATE POSSESSION BOND: If Plaintiff has filed a bond for immediate possession, Plaintiff requests that: (1) the court set the amount of the bond; (2) the court approve the bond; and (3) proper notices, as required by the Texas Rules of Civil Procedure, are given to Defendant(s).

SERVICE OF CITATION: Service is requested on Defendant(s) by: personal service at home or work, or by delivery to a person over the age of 16 years at Defendant's usual place of residence. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Home or work addresses other than the premises where Defendant(s) may be served are:

Plaintiff knows of no other home or work addresses of Defendant(s) in this county.

RELIEF: Plaintiff requests that Defendant(s) is served with the citation and that Plaintiff is awarded a judgment against Defendant(s) for: possession of the premises, including removal of Defendant(s) and Defendant's possessions from the premises, unpaid rent, if set forth above, attorney's fees if applicable, court costs, and interest on the above sums at the rate stated in the lease, or if not so stated, at the statutory rate for judgments.

☐ I hereby request a jury trial. The fee is \$22 and must be paid at least 3 days before trial.

SERVICE BY EMAIL: (Normally, documents in this case are sent by mail. If it is easier for you, you can choose to get some of the documents sent by email. If you choose to get documents by email, you must have an email account where you can receive, open, and view large attachments, and it is important that you check this email account every day. Even if you receive some documents by email, you will still receive some documents about the case by mail or personal service, so you must not ignore any documents from the court or other parties received by mail or personal service.)

☐ Yes, I would like to receive documents related to this case by email at this email address:

☐ No, I do not want to receive any documents by email.

Respectfully submitted,

Signature of Plaintiff

Printed Name: _____

Address: _____

Email: _____

Telephone: _____

Fax: _____

Signature of Agent or Attorney, if any

Printed Name: _____

Address: _____

Email: _____

Telephone: _____

Fax: _____

State Bar No.: _____

SWORN TO AND SUBSCRIBED before me on _____, 20____.

CLERK OF THE JUSTICE COURT OR NOTARY



THE STATE OF TEXAS
LARRY A. DUNNE, II

COUNTY OF BASTROP
JUSTICE OF THE PEACE, PRECINCT 4

CAUSE #: _____

Plaintiff

IN THE JUSTICE COURT

vs.

Precinct #4

Defendant

BASTROP COUNTY, TEXAS

NON-MILITARY AFFIDAVIT

BEFORE ME, the undersigned authority, on this date, personally appeared _____, known to be a credible person, and after being sworn upon his oath did depose and say:

"I, _____, Plaintiff in the above-entitled and numbered cause and duly authorized to make this affidavit.

Defendant, _____, was not, either at the time of the institution of this suit, or at any time since, been a member of any Military or Naval Service in the United States of America insofar as is now or can be determined by affiant."

Further affiant sayeth not.

(signature)

(printed name)

THE STATE OF TEXAS
COUNTY OF BASTROP

This instrument was acknowledged before me on _____ day of _____, 20____ by _____.

(SEAL)

Notary Public in and for the State of Texas

1125 DILDY DRIVE
ELGIN, TEXAS 78621
PHONE 512.581.7162 FAX 512.581.7163

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:
Name: _____ Address: _____ City/State/Zip: _____ Email: _____ Signature: _____	Telephone: _____ Fax: _____ State Bar No: _____	Plaintiff(s): _____ _____ Defendant(s): _____ _____ [Attach additional page as necessary to list all parties]
3. Indicate case type, or identify the most important issue in the case (select only 1):		
☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	
☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	☐ 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	



Justice Court

LARRY A. DUNNE
JUDGE

PRECINCT FOUR
Elgin, Texas 78621

1125 Dildy Drive
512. 581.7162

GENERAL INFORMATION SHEET

IN ORDER TO ASSIST US IN THE TIMELY SERVING OF CIVIL PAPERS, PLEASE FURNISH THE FOLLOWING INFORMATION:

PLAINTIFF'S NAME _____
PLAINTIFF'S ADDRESS _____
PLAINTIFF'S PHONE NUMBER _____ HOME
_____ WORK

DEFENDANT'S NAME _____
DEFENDANT'S ADDRESS _____
DEFENDANT'S PHONE NUMBER _____ HOME
_____ WORK

DEFENDANT'S PLACE OF EMPLOYMENT _____
DEFENDANT'S WORK HOURS IF KNOWN: _____

ANY INFORMATION THAT YOU CAN FURNISH WILL HELP GREATLY, IN SERVING YOUR PAPERS.

THANK YOU,



PLEASE FURNISH EXPLICIT DIRECTIONS OR A MAP IF POSSIBLE.