

PETITION: DEBT CLAIMS CASE

Cause No. _____

PLAINTIFF: _____
VS
DEFENDANT: _____

IN THE JUSTICE COURT
PCT 1
WOOD COUNTY, TX

Defendant (1) (Name & Address)

Defendant (2) (Name & Address)

Phone No.: _____

Phone No.: _____

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 \$_____.

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Rules of Practice in Justice Courts. Other addresses where the defendant(s) may be served are:

_____.

ADDITIONAL INFORMATION (CASE BASED ON CREDIT CARD, REVOLVING ACCOUNT, OR OPEN ACCOUNT):

Account/Credit Card Name: _____ **Account Number (may be masked):** _____

Date of Issue/Origination: _____ **Date of Charge-Off/Breach:** _____ **Amount Owed \$** _____ **as of** _____

ADDITIONAL INFORMATION (CASE BASED ON PROMISSORY NOTE OR OTHER PROMISE TO PAY PERSONAL OR BUSINESS LOAN):

Date/Amount of Original Loan: _____, \$ _____ **Repayment accelerated?** _____ **Date Final Payment Due:** _____

Amount Due on Final Payment Date \$ _____ **Amount Due \$** _____ **as of** _____

ONGOING INTEREST: Plaintiff does, or does not seek ongoing interest. If so, this interest is based on the following contractual/statutory reason: _____ and should be at _____%. \$ _____ of interest was due as of _____.

ASSIGNMENT OF CLAIM: Plaintiff was, or was not assigned or otherwise transferred this claim. If so, the original claimant/creditor was _____, subsequent holders were _____, and the date the case was assigned/transferred to plaintiff was _____.

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: _____

Petitioner's **Printed Name**

Signature of Plaintiff or Attorney

Address of Plaintiff's Attorney (if any) or Plaintiff

State

Zip

Phone # of Plaintiff's Attorney (if any) or Plaintiff

Fax # of Plaintiff's Attorney (if any) or Plaintiff

DEFENDANT'S INFORMATION (if known)

Date of Birth: _____

Last 3 numbers of Social Security: _____

Last 3 numbers of Driver's License: _____

YES !!! YOU MUST FILL OUT THIS FORM IF YOU WISH TO RECEIVE A DEFAULT JUDGMENT IN YOUR FAVOR!!!

CAUSE NUMBER: _____

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

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 – Pct. 1
Wood County, Texas

Notary Public in and for the State of Texas

You can find a person’s military status by going to this website: <https://scra.dmdc.osd.mil/>

Penalty for making or using a false affidavit – A person who signs an affidavit, knowing it to be false, may be charged a fine as provided in Title 18 of the United States Code, or imprisoned for not more than one year, or both.

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:
<p>Name: _____ Telephone: _____</p> <p>Address: _____ Fax: _____</p> <p>City/State/Zip: _____ State Bar No: _____</p> <p>Email: _____</p> <p>Signature: _____</p>	<p>Plaintiff(s): _____</p> <p>_____</p> <p>Defendant(s): _____</p> <p>_____</p> <p>_____</p> <p>[Attach additional page as necessary to list all parties]</p>
3. Indicate case type, or identify the most important issue in the case (<i>select only 1</i>):	
<p><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.</p>	<p><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.</p>
<p><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.</p>	<p><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.</p>

NOTICE

PROPER DRESS IN JUSTICE COURT IS REQUIRED AS FOLLOWS:

ALL Requirements pertain to both adult and juvenile males and females, unless otherwise noted.

Failure to comply may result in the reset of the case to a later date, Or in the extreme, CONTEMPT OF COURT.

SHOES ARE REQUIRED

NO SLEEVELESS SHIRTS

NO SHORTS

Women are permitted to wear dress shorts with hosiery

NO EXPOSED MIDRIFTS

NO CLOTHING DISPLAYING OFFENSIVE WORDS OR PICTURES

NO HATS

NO PAJAMAS

CLEANLINESS

The court appreciates many must come to court directly from work. If needed, washrooms are available in the building.

CHILDREN

Loud or crying children should be taken out of the courtroom.