

# AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

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

|             |   |                      |
|-------------|---|----------------------|
| _____       | § | IN THE JUSTICE COURT |
| (Plaintiff) | § |                      |
|             | § |                      |
| VS.         | § | PRECINCT 2, PLACE 1  |
|             | § |                      |
| _____       | § | WOOD COUNTY, TEXAS   |
| (Defendant) |   |                      |

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 United States 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 United States military.

3. Defendant [insert name(s)] \_\_\_\_\_  
has been deployed by the United States 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 United States military – except for any defendant named in No. 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 United States military has been deployed to a foreign country – except for any defendant named in No. 3 above.

6. Defendant [insert name(s)] \_\_\_\_\_  
Has signed, while on active duty, a separate written waiver of his or her rights under the United States Servicemembers Civil Relief Act of 2003.

\_\_\_\_\_  
Affiant

Sworn to and subscribed before me on this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Judge) (Clerk) Justice Court – Pct.2  
Wood County, Texas

\_\_\_\_\_  
Notary Public in and for the State of Texas