

CAUSE NO. _____

_____	§	IN THE JUSTICE COURT
PLAINTIFF	§	
	§	
v.	§	PRECINCT _____
	§	
_____	§	
DEFENDANT	§	_____ COUNTY, TEXAS

PETITION: SMALL CLAIMS CASE

I. DEFENDANT(S) ADDRESS:

II. COMPLAINT: Plaintiff files this suit against Defendant based upon the following facts:

III. RELIEF: Plaintiff seeks:

- ☐ damages in the amount of \$ _____,
☐ return of personal property as described as follows (*be specific*): _____

_____, which has a value of \$ _____.

Additionally, Plaintiff seeks the following:

IV. SERVICE OF CITATION: Service is requested on Defendant(s) by:

- ☐ Personal service at home or work,
☐ Registered mail, or
☐ Certified mail return receipt requested.

If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other addresses where Defendant(s) may be served are: _____

- V. **ONGOING INTEREST:** Plaintiff ☐ does or ☐ does not seek ongoing interest. If so:
The effective interest rate claimed is _____%; this interest rate is based upon
☐ contract ☐ statute and began accruing on _____; the dollar amount of
interest claimed as of _____ is \$_____.

VI. **JURY REQUEST**

☐ I request a jury trial. (*The fee is \$22 and must be paid at least 14 days before trial unless you file a Statement of Inability to Afford Payment of Court Costs in compliance with Rule 502.3.*)

☐ I do not request a jury at this time.

- VII. **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.

VIII. **REMOTE PARTICIPATION**

Hearing by Phone Call: (*When a hearing happens by phone call, you will be able to talk to and hear the judge, Plaintiff, or any witnesses, but you will not be able to see them. Copies of any evidence to be used must be exchanged by the parties and sent to the judge before the hearing.*)

☐ Yes, I am able to have any hearings in this case, except a jury trial, by phone call with the judge and Plaintiff and understand that I must have a phone to use on the date and time of the hearing.

☐ No, I am not able to have hearings by phone call.

Hearing by Video Conference: (*When a hearing happens by video conference, you can hear, see, and talk to the judge, Plaintiff, and any witnesses. You will be able to see any evidence*

presented during the hearing. You will need to have a computer, a smartphone, or tablet that has a camera feature. You will also need access to the internet to be able to have a video conference.)

☐ Yes, I am able to have any hearings in this case, except a jury trial, by video conference. I understand that I am responsible for having the equipment and internet access needed to participate in a video conference on the date and time of the hearing.

☐ No, I am not able to have hearings by video conference.

NOTE: Your responses in this section do not guarantee that hearings will be held remotely, but rather they help the court know how you are able to participate.

Respectfully submitted,

Signature of Plaintiff

Printed Name: _____

Address: _____

Email: _____

Telephone: _____

Fax: _____

Signature of Attorney, if any

Printed Name: _____

Address: _____

Email: _____

Telephone: _____

Fax: _____

State Bar No.: _____

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

CAUSE NUMBER: _____

vs. _____

§ IN THE JUSTICE COURT
§ PRECINCT _____
§

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 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. _____

Notary Public in and for the State of Texas

OUT OF COUNTY SERVICE INFORMATION

If the person(s)/business you are suing resides in another County it is your responsibility to provide the court with the necessary information so the Citation may be served.

Name of person you want served: _____

Address: _____

City: _____ State: _____

Phone Number: _____

If you desire your Citation to be served in another county in Texas, you must also provide the additional following information:

Name of person to serve Citation (Sheriff Dept./Constable or other):

Address: _____

City: _____ State: _____

Phone Number: _____

Service fee the department or person serving will charge for service: _____

This information is to be submitted with your petition.

SUMMARY OF SAN SABA JUSTICE COURT FILING FEE
FILING EVICTION

FILING FEE	\$54.00
SERVICE FEE PER CITATION	\$100.00
JURY FEE	\$22.00
ABSTRACT OF JUDGMENT	\$ 5.00
SUBPOENA	\$100.00
ALL WRITS	\$275.00

*****EVICTIONS MUST BE SERVED BY A PEACE OFFICER*****

IF YOU HAVE ANY ADDITIONAL QUESTIONS CONCERNING THE FILING PROCESS OR PROCEDURES, PLEASE CALL OUR OFFICE. THE JUDGE CANNOT DISCUSS THE CASE WITH THE PLAINTIFF OR THE DEFENDANT PRIOR TO THE TRIAL. THE COURT CLERK CAN ASSIST WITH THE FILING PROCEDURES; HOWEVER, SHE CANNOT GIVE YOU LEGAL ADVICE OR FILL OUT THE FORMS FOR YOU!