

CAUSE NO. _____

PLAINTIFF

§ IN THE JUSTICE COURT

§

§

v.

§ PRECINCT NO. THREE

§

§

RESPONDENT

§ MONTGOMERY COUNTY, TEXAS

PETITION: DEBT CLAIMS CASE

Respondent(s) address: _____
(List additional Respondents on reverse side)

By Serving: _____

COMPLAINT: The basis for the claim is:

RELIEF: Plaintiff seeks damages in the amount of \$ _____

SERVICE OF CITATION: Service is requested on Respondent(s) by: personal service at home or work, registered mail, certified mail, return receipt requested. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other addresses where Respondent(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 Owed: \$ _____ 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 _____
The date the debt was assigned/transferred to Plaintiff was _____

THIS COURT DOCUMENT IS PUBLIC RECORD

I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows:

Plaintiff's Printed Name

Signature of Plaintiff
or Plaintiff's Attorney

Respondent's Information (if known):

Date of birth: _____

Last three digits of Driver License: _____

Last three digits of Soc. Sec. No.: _____

Phone No.: _____

Address of Plaintiff or Plaintiff's Attorney

City State Zip

Phone & Fax No. of Plaintiff
or Plaintiff's Attorney

Instructions: The Servicemembers Civil Relief Act applies to a civil proceeding in the Justice Courts. Before entering a default judgment against an individual defendant, the plaintiff must file with the court an affidavit stating whether or not the defendant is in the military service, showing necessary facts to support the affidavit, or stating that the plaintiff is unable to determine whether or not the defendant is in military service, if that is the case. The requirement for an affidavit may be satisfied by a written, signed document declared to be true under penalty of perjury. If it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If the court is unable to determine if the defendant is in military service, the court may require plaintiff to file a bond in an amount approved by the court. A person who makes or uses an affidavit under this Act knowing it to be false, may be fined or imprisoned or both. 50 U.S.C. App. 501 et seq.

To obtain certificates of service or non-service under the Servicemembers' Civil Relief Act, you may access the public website: <https://scra.dmdc.osd.mil/scra/#/home>. This website will provide the current active military status of an individual.

Military Status Affidavit

Case No. _____

§ In the Justice Court of
§ Montgomery County, Texas
§ Precinct Three

Plaintiff

vs.

Respondent

Plaintiff being duly sworn on oath deposes and says that respondent(s) is (are)

(CHECK ONE)

- not in the military
- on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003
- military status is unknown at this time

Certificate of Last Known Address – Texas Rules of Civil Procedure, Rule 503.1(d) requires a certificate of last known address be filed when requesting a default judgment.

Signed on _____

Signature
Printed Name: _____
Address: _____

Telephone: _____
Fax: _____
E-Mail Address: _____

SWORN TO AND SUBSCRIBED BEFORE ME on _____

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