

AFTER JUDGMENT INFORMATION SHEET

APPEAL:

Either party may appeal the decision from a Justice of the Peace Court. You will need to file your notice of appeal with an appeal bond and pay \$20.00. In a Forcible Detainer / Eviction suit an appeal must be filed within 5 days from date of judgment. In a Small Claims or Debt Claims suit an appeal must be filed within 21 days from date of judgment.

ABSTRACT OF JUDGMENT: (See Fee Schedule for Cost)

May be filed after the expiration of 10 days from the date judgment was signed. This document is used to place a lien against any real property (real estate) owned by the defendant. It is valid for ten (10) years and is renewable at the expiration of ten years. Plaintiff will receive the original abstract of judgment. Plaintiff must file the original document with the County Clerk's office in any county defendant owns or may own real property for this document to be effective. Plaintiff may file this document in as many counties as necessary. Check with the County Clerk's office for County's filing fees and procedures.

WRIT OF EXECUTION: (See Fee Schedule for Cost)

This document may be filed after the expiration of 30 days from the date judgment was signed. This document enables the proper Constable/Sheriff's department to seize non-exempt property for public sale. Proceeds from the public sale will be used to satisfy Plaintiff's judgment. The officer may collect on plaintiff's behalf, payment from the defendant, at this time. A list of property exemptions will be provided upon request. Plaintiff may choose to file this document as many times as necessary until judgment is satisfied.

WRIT OF GARNISHMENT: (See Fee Schedule for Cost)

This document will freeze any and all of defendant's accounts at the specified bank. The accounts will remain frozen pending a court date between you and the bank or upon dismissal of garnishment, in writing by you. The garnishee (bank) will respond to you and to the court to inform of the funds in the account(s).

WRIT OF POSSESSION: (See Fee Schedule for Cost)

EVICTION / FORCIBLE DETAINER SUITS only. This document may be filed if the defendant has not submitted an appeal within 5 calendar days after judgment was signed and has not vacated the premises. This document allows for the defendant to be forcibly removed from the premises. As the Plaintiff, you may be responsible for securing a bonded moving company and a bonded storage company for the defendant's possessions. The Constable's Office will contact the plaintiff after notice of this writ has been given to the defendant. You may direct any questions or comments concerning this matter to the Constable's office at (281) 364-4211.

THIS FORM IS FOR YOUR GENERAL USE. OUR OFFICE DOES NOT GIVE LEGAL ADVICE. YOU MAY CONTACT AN ATTORNEY TO DISCUSS OTHER REMEDIES THAT MAY BE AVAILABLE CONCERNING YOUR LAWSUIT.

*Matt Beasley, Justice of the Peace, Precinct Three
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(281) 364-4284, (936) 539-7803, (281) 367-3947 (fax), (936) 539-7959 (fax)*