



JUDGE LINDA SALAZAR

JUSTICE OF THE PEACE PCT. 2, PL. 1
974 E. HARRISON ST., 2ND FLOOR
BROWNSVILLE, TX 78520
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INFORMATION FOR FORCIBLE EVICTION

If you are processing a forcible eviction of a tenant, you must have a copy of a written notice informing the tenant that they have to move out and pay the total rent owed.

Filing of a **Forcible Eviction** case costs **\$123.00** (to sue a 2nd defendant add \$75.00) and will be added to the Judgment **if you request it**. Once you present your completed Forcible Eviction form and the **\$123.00 to the Justice of the Peace office (if suing 2nd defendant add \$75.00)**, your court **hearing will be scheduled.**

If you win the Judgment, the tenant has to vacate premises as ordered. If the occupant has not moved out the landlord can request a **Writ of Possession** at the office of the Justice of the Peace. A Peace Officer will then physically remove the tenant within the time required by law.

If after the Judgment, the tenant has not paid the rent stated in the Judgment, then the landlord can request a **Writ of Abstract**. The Writ of Abstract is a credit lien on any property that the tenant may buy or sell within the next ten (10) years.

EXAMPLE OF AN EVICTION LETTER

To: Name of Tenant and any other occupants
Address

Our files indicate that you are past due on your rent. You are being notified that you have ____ days to vacate the premises from the above address or pay the rent of \$_____ plus late fees of \$_____ with a total amount \$_____. If you fail to vacate or pay the total amount of rent due by (date), we will commence the legal action at the office of the Justice of the Peace and any attorney fees or other costs which we incur will be added to the total cost of your eviction.

Please contact our office as soon as possible to resolve this delinquency.

Thank you for your attention to this issue.

Sincerely,

Landlord

This is only an example of a letter for past due rent. Re-type it with your letterhead and change any wording that you feel is more comfortable for you.

If you have any legal questions you may contact, Legal Aid at (956) 546-5558 or 1-800-369-2651.

EVICTON CASE

CASE NO. (court use only) _____

With suit for Rent

COURT DATE: _____

PLAINTIFF _____
(Landlord/Property Name)

In the Justice Court, Precinct 2-1
Cameron County, Texas

VS.
DEFENDANT(S): _____

Rental Subsidy (if any) \$ _____
Tenant's Portion \$ _____
TOTAL MONTHLY RENT \$ _____

COMPLAINT: Plaintiff (Landlord) hereby complains of the defendant(s) named above for eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

Street Address Unit No. (if any) City State Zip

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

2. **UNPAID RENT AS GROUNDS FOR EVICTION:** Defendant(s) failed to pay rent for the following time period(s): _____ . **TOTAL DELINQUENT RENT AS OF DATE OF FILING IS: \$ _____**
Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial.

3. **OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS:** Lease Violations (if other than non-paid rent – list lease violations)

4. **HOLDOVER AS GROUNDS FOR EVICTION:** Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal of extension period, which was the _____ day of _____, 20____.

5. **NOTICE TO VACATE:** Plaintiff has given defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the _____ day of _____ and delivered by this method: _____

6. **ATTORNEY'S FEES:** Plaintiff w or will NOT eeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are: _____

7. **BOND FOR POSSESSION:** If Plaintiff has filed a bond for possession, plaintiff requests (1) that the amount of plaintiff's bond and defendant's counter bond be set, (2) that plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s). **REQUEST FOR JUDGMENT:** Plaintiff prays that defendant(s) be served with citation and that plaintiff have judgment against defendant(s) for: possession of premises, including removal of defendants and defendants' possessions from the premises, unpaid rent IF set forth above, attorney's fees, court costs, and interest on the above sums at the rate stated in the rental contract, or if not so stated, at the statutory rate for judgments under Civil Statutes Article 5069-1.05.

I give my consent for the answer and any other motions or pleadings to be sent to my email address which is: _____

Petitioner's Printed Name

Signature of Plaintiff (Landlord/Property Owner) or Agent

DEFENDANT(S) INFORMATION (if known):

Address of Plaintiff (Landlord/Property Owner) or Agent

DATE OF BIRTH: _____

City State Zip

*LAST 3 NUMBERS OF DRIVER LICENSE: _____

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE NUMBER: _____

Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent

Sworn to and subscribed before me this _____ day of _____, 20____.

EVICTIION CASE

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Cameron County, Texas

PLAINTIFF _____
(Landlord/Property Name)

| | |
|---------------------------|-----------------|
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|----------------|-------------------|------|-------|-----|

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Address of Plaintiff (Landlord/Property Owner) or Agent

DATE OF BIRTH: _____

City State Zip

*LAST 3 NUMBERS OF DRIVER LICENSE: _____

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE NUMBER: _____

Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent

Sworn to and subscribed before me this _____ day of _____, 20____.

No. _____

VS.

)
(
)
(
)
(
)

IN THE JUSTICE COURT
PRECINT 2 PLACE 1
CAMERON COUNTY, TEXAS

SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT

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

(CHECK ONE)

- not in the military
- not on active duty in the military and/or
- not in a foreign country on military service
- on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003
- has waived his/her rights under the Servicemembers Civil Act of 2003
- military status is unknown at this time

PLAINTIFF

(Select the applicable title under the signature for the jurat below)

Subscribed and sworn to before me no this the ____ day of _____, 20__.

NOTARY / CLERK

- Notary Public in and for the State of Texas

SEAL

***Penalty for making or using false affidavit – a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in Title 18, 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: |
|---|--|---|
| Name: _____ | Telephone: _____ | Plaintiff(s): _____ _____ |
| Address: _____ | Fax: _____ | Defendant(s): _____ _____ _____ |
| City/State/Zip: _____ | State Bar No: _____ | [Attach additional page as necessary to list all parties] |
| Email: _____ | | |
| Signature: _____ | | |
| 3. Indicate case type, or identify the most important issue in the case (select only 1): | | |
| <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. | <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. | |
| <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. | <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. | |

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA



Cause Number: _____
(The Clerk's office will fill in the Cause Number when you file this form.)

Plaintiff: _____
(Print first and last name of the person filing the lawsuit.)

In the _____ Court Number _____ (check one):
 District Court
 County Court / County Court at Law
 Justice Court

And

Defendant: _____
(Print first and last name of the person being sued.)

County _____ Texas

Statement of Inability to Afford Payment of Court Costs or an Appeal Bond

1. Your Information

My full legal name is: _____ My date of birth is: _____
First Middle Last Month/Day/Year

My address is: (Home) _____
 (Mailing) _____

My phone number: _____ My email: _____

About my dependents: "The people who depend on me financially are listed below."

| Name | Age | Relationship to Me |
|---------|-------|--------------------|
| 1 _____ | _____ | _____ |
| 2 _____ | _____ | _____ |
| 3 _____ | _____ | _____ |
| 4 _____ | _____ | _____ |
| 5 _____ | _____ | _____ |
| 6 _____ | _____ | _____ |

2. Are you represented by Legal Aid?

- I am being represented in this case for free by an attorney who works for a legal aid provider or who received my case through a legal aid provider. I have attached the certificate the legal aid provider gave me as 'Exhibit: Legal Aid Certificate.'
- or-
- I asked a legal-aid provider to represent me, and the provider determined that I am financially eligible for representation, but the provider could not take my case. I have attached documentation from legal aid stating this.
- or-
- I am not represented by legal aid. I did not apply for representation by legal aid.

3. Do you receive public benefits?

- I do not receive needs-based public benefits. - or -
- I receive these public benefits/government entitlements that are based on indigency:
(Check ALL boxes that apply and attach proof to this form, such as a copy of an eligibility form or check.)
- Food stamps/SNAP TANF Medicaid CHIP SSI WIC AABD
- Public Housing or Section 8 Housing Low-Income Energy Assistance Emergency Assistance
- Telephone Lifeline Community Care via DADS LIS in Medicare ("Extra Help")
- Needs-based VA Pension Child Care Assistance under Child Care and Development Block Grant
- County Assistance, County Health Care, or General Assistance (GA)
- Other: _____

4. What is your monthly income and income sources?

"I get this monthly income:

\$ _____ in monthly wages. I work as a _____ for _____.

\$ _____ in monthly unemployment. I have been unemployed since _____.

\$ _____ in public benefits per month.

\$ _____ from other people in my household each month:

\$ _____ from Retirement/Pension Tips, bonuses Disability Worker's Comp
Social Security Military Housing Dividends, interest, royalties
Child/spousal support
My spouse's income or income from another member of my household

\$ _____ from other jobs/sources of income.

\$ _____ is my total monthly income.

5. What is the value of your property?

"My property includes:

| | Value* |
|--|-----------------|
| Cash | \$ _____ |
| Bank accounts, other financial assets | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| Vehicles (cars, boats) | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| Other property (like jewelry, stocks, land, another house, etc.) | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| Total value of property | \$ _____ |

6. What are your monthly expenses?

"My monthly expenses are

| | Amount |
|--------------------------------------|-----------------|
| Rent/house payments/maintenance | \$ _____ |
| Food and household supplies | \$ _____ |
| Utilities and telephone | \$ _____ |
| Clothing and laundry | \$ _____ |
| Medical and dental expenses | \$ _____ |
| Insurance (life, health, auto, etc.) | \$ _____ |
| School and child care | \$ _____ |
| Transportation, auto repair, gas | \$ _____ |
| Child / spousal support | \$ _____ |
| Wages withheld by court order | \$ _____ |
| Debt payments paid to: | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| Total Monthly Expenses | \$ _____ |

7. Are there debts or other facts explaining your financial situation?

My debts include _____

Check here if you attach another page

8. Declaration

I declare under penalty of perjury that the foregoing is true and correct. I further swear:

I cannot afford to pay court costs.

I cannot furnish an appeal bond or pay a cash deposit to appeal a justice court decision.

My name is _____ My date of birth is: ____ / ____ / ____.

My address is _____

Signature _____ signed on ____ / ____ / ____ in _____ County _____