



**PETITION: DEBT CLAIM CASE**

CASE NO. (court use only) \_\_\_\_\_ IN THE JUSTICE COURT, PCT. \_\_\_\_\_ GUADALUPE COUNTY, TEXAS  
PLAINTIFF: \_\_\_\_\_

VS.

DEFENDANT(S) \_\_\_\_\_

Defendant(s) contact info: \_\_\_\_\_  
ADDRESS CITY STATE ZIP

**COMPLAINT:** The basis for the claim which entitles the plaintiff ;seek relief against the defendant is:

**RELIEF:** Plaintiff seeks damages in the amount of \$ \_\_\_\_\_

**SERVICE OF CITATION:** Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(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 BASE] 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 Due \$ \_\_\_\_\_ as of \_\_\_\_\_

**ONGOING INTEREST:**

PLAINTIFF \_\_\_\_\_ 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 \_\_\_\_\_ assigned or otherwise transferred this claim. If so, the original claimant/creditor was \_\_\_\_\_  
subsequent holders were \_\_\_\_\_ and the date the case was assigned/transferred to plaintiff was \_\_\_\_\_

☐ If you wish to give your consent for the answer and any other motions or pleadings to be sent to  
your email address, please check this box, and provide your valid email address:

\_\_\_\_\_  
Petitioner's Printed Name

\_\_\_\_\_  
Signature of Plaintiff or Attorney

**DEFENDANT(S) INFORMATION (if known):**

DATE OF BIRTH \_\_\_\_\_

\_\_\_\_\_  
Address of Plaintiffs or Attorney

LAST 3 NUMBERS OF DRIVER LICENSE \_\_\_\_\_

LAST 3 NUMBERS OF SOCIAL SECURITY \_\_\_\_\_

\_\_\_\_\_  
CITY

\_\_\_\_\_  
STATE

\_\_\_\_\_  
ZIP

DEFENDANT'S PHONE NUMBER \_\_\_\_\_

Phone of Plaintiff's Attorney/ Plaintiff \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
CLERK OF THE JUSTICE COURT OR NOTARY

# 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 that

<b>1. Contact information for person completing case information sheet:</b>		<b>2. Names of parties in case:</b>
Name: _____	Telephone: _____	Plaintiff(s): _____ _____
Address: _____	Fax: _____	Defendant(s): _____ _____ _____ _____ [Attach additional page as necessary to list all parties]
City/State/Zip: _____	State Bar No: _____	
Email: _____		
Signature: _____		

  

<b>3. Indicate case type, or identify the most important issue in the case (select only 1):</b>	
<input type="checkbox"/> <b>Debt Claim:</b> 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"/> <b>Eviction:</b> 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"/> <b>Repair and Remedy:</b> 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"/> <b>Small Claims:</b> 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.

**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://www.dmdc.osd.mil/appj/scra/scraHome.do>. This website will provide the current active military status of an individual.

## Military Status Affidavit

Case No. \_\_\_\_\_ § In the Justice Court of  
\_\_\_\_\_  
§ "Guadalupe County, Texas  
Plaintiff §  
vs. §  
\_\_\_\_\_  
§ Precinct \_\_\_\_\_, Place \_\_\_\_\_  
Defendant §

BEFORE ME, on this day personally appeared" \_\_\_\_\_,  
who, under penalty of perjury, stated that the following facts are true:

I am the ☐ Plaintiff ☐ attorney of record for the Plaintiff in this proceeding.

☐ \_\_\_\_\_, Defendant, **is not** in military service.

☐ \_\_\_\_\_, Defendant, **is** in military service.

I know this. because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

☐ I am unable to determine whether or not the Defendant is in military service.

Signed on \_\_\_\_\_

\_\_\_\_\_  
*Signature*  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

THE STATE OF TEXAS "§

COUNTY OF GUADALUPE §

SWORN TO AND SUBSCRIBED BEFORE ME on \_\_\_\_\_.

\_\_\_\_\_  
Clerk of the Court

\_\_\_\_\_  
NOTARY PUBLIC, State of Texas