

IN THE JUSTICE COURT
PRECINCT 4
BEXAR COUNTY, TEXAS

PLAINTIFF'S NAME

PLAINTIFF'S ADDRESS, CITY, STATE & ZIP

Ph# _____

vs. _____
& ALL OCCUPANTS
DEFENDANT'S NAME

COMPLAINT FOR FORCIBLE DETAINER

NOW COMES PLAINTIFF, as stated in the style hereof, COMPLAINING OF DEFENDANT, as stated in the style hereof, and for cause of action would respectfully show the court the following:

I.

Defendant is a resident of and the real property complained of is located in the precinct, county and state mentioned in the style hereof.

II.

Plaintiff, as landlord, leases to Defendant, as tenant, and Defendant hired from Plaintiff, the real property described below; Plaintiff was and is the owner of or has had under its management the said real property as of the date and is entitled to immediate possession of the following described premises and real property:

_____ SAN ANTONIO, BEXAR COUNTY, TEXAS 782 _____

IF PROPERTY IS A MANUFACTURED/MOBILE HOME STATE NAME AND ADDRESS OF LIEN HOLDER: _____

III.

The only home and work address of Defendant known to the undersigned is the address stated in II above and the following, if any, and the undersigned knows of no other home or work address of Defendant in Bexar County, Texas where citation may be served pursuant to Rules 742 and 742A, Texas Rules of Civil Procedure. WORK ADDRESS _____

IV.

A written Notice to Vacate the premises was served on Defendant on or about _____ said premises; but Defendant willfully holds over and continues in possession of said premises without Plaintiff's demanding the delivery of permission.

V.

Defendant failed to pay rent on the promises to the lease contract in the sum of \$ _____ (excluding court costs) for which suit is also brought, and other rent as it accrues. () **OTHER REASONS:**

WHEREFORE, PREMISES CONSIDERED, PLAINTIFF PRAYS that Defendant be cited to appear as required by law that judgment for the restitution of said premises be awarded to Plaintiff, that plaintiff be awarded a Writ of Restitution for the herein described leased premises, that Plaintiff have Judgment for rent remaining unpaid as stated above herein; plus costs of said suit, and that Plaintiff have such other and further relief as Plaintiff shall be entitled.

THE STATE OF TEXAS, COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared _____, who being duly sworn on his oath, deposes and says that he is the Plaintiff or his authorized agent in this cause, and as such is authorized and entitled to make this affidavit, and that he has read the above complaint and knows the contents thereof and that the facts herein stated are true and correct. **I have knowledge and upon information and belief, that the Respondent WAS _____ WAS NOT _____ in military service when this suit was filed, has not been in military service at any time since then, and is not now in any military service of the United States of America.**

PLAINTIFF or his AGENT
SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC STATE OF TEXAS

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

CAUSE NUMBER: _____

Vs.

§
§
§

IN THE JUSTICE COURT
PRECINCT FOUR
BEXAR COUNTY, TEXAS

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 military 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 in 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 names)* _____ has signed, while on active duty, a separate written waiver of his or her rights under the U.S. Service Members Civil Relief Act of 2003.

Affiant

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

Notary Public in and for the State of Texas