

Cause No. _____

Plaintiff: _____

(Landlord)

VS.

Defendants: _____

_____ and all other occupants

(List all tenants who are still in the premises)

In The Justice Court

Precinct 1 Place 2

Wichita County, Texas

Sworn Complaint for Eviction

with Bond for Possession

with Suit for Rent

(Check above blanks if applicable)

1. **COMPLAINT.** Plaintiff (Landlord) hereby complains of the defendants named above for forcible detainer of plaintiff's premises (including storerooms and parking areas) located in the above precinct, to wit:

_____	_____	Wichita Falls, Texas	_____	_____
Street Address	Unit No. (if any)	City	State	Zip Code

2. **SERVICE OF CITATION.** Service is requested on defendants by personal service at home or work or by alternative service under Rule 742, Texas Rules of Civil Procedure. If necessary, alternative service is requested under Rule 742a which means you can not join a suit for back rent and other costs. Defendants' home addresses is:

Defendants' work addresses

Plaintiff knows of no other home or work addresses of defendants in the county where the premises described in paragraph 1 are located.

3. **UNPAID RENT AS GROUNDS FOR EVICTION.** Plaintiff and defendants entered into a rental agreement for the above described premises, for occupancy commencing on the _____ day of _____, _____. Defendants failed to pay the following rent and other sums which were demanded by plaintiff and which were due on the following dates: (list amounts and dates)

4. **HOLDOVER AS GROUNDS FOR EVICTION.** Defendants are unlawfully holding over since they failed to vacate at the end of the rental term or renewal or extension period, which was the _____ day of _____, _____. Defendants are liable to Plaintiff for holdover rents on a daily basis, as per the lease.

5. **OTHER GROUNDS FOR EVICTION.** Plaintiff's other grounds for eviction of defendants are as follows:

6. **NOTICE TO VACATE.** Plaintiff has given defendants a written notice to vacate and demand for possession. Such notice was delivered to defendants on the _____ day of _____, _____.

7. **FAILURE TO VACATE.** Defendants failed to vacate or comply with plaintiff's written demand for possession of the premises.

8. **BOND FOR POSSESSION.** If plaintiff has filed a "Bond for Possession" under Rule 740, plaintiff requests (1) that the amount of plaintiff's bond and defendants' counterbond be set, (2) that plaintiff's bond be approved by the Court and (3) that notice as required by Rule 740 be given to defendants regarding counterbond or early trial.

9. **REQUEST FOR JUDGMENT.** Plaintiff prays that defendants be served with citation and that plaintiff have judgment against defendants for: possession of the premises, including removal of defendants and defendants' possessions from the premises; unpaid rent as set forth above; accrued rent to date of judgment; attorney's fees; interest at _____ % per annum compounded annually before judgment (if provided in the lease) and after judgment; and court costs.

Date Signature of plaintiff (landlord) or Signature of plaintiff's authorized agent

Street Address of plaintiff (landlord) or Agent

City State Zip Code

Telephone number of plaintiff or Agent

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

Notary Public for the State of Texas or Clerk of the Court

CAUSE NUMBER: _____

PLAINTIFF

VS.

DEFENDANT

δ
δ
δ
δ

IN THE JUSTICE COURT
OF WICHITA COUNTY, TEXAS
PRECINCT 1 PLACE 2

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

Before me the undersigned notary or clerk of the Justice Court, on this day personally appeared the undersigned affiant whose identity is known to me. After I administered an oath to such affiant, he or she upon oath and under penalty of perjury (fine and/or up to one year in jail), stated the following:

My name is (please print) _____

I am (check one) _____ the plaintiff or _____ an authorized agent of the plaintiff in the case described at the top left of this page. I am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

- 1. No defendant in this case is on active 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:
(a) personal knowledge _____ (b) other – must state facts:

- 2. Defendant (insert name) _____ is on active duty in the U.S. military.
- 3. Defendant (insert name) _____ 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 with the U.S. military – except for any defendant named in paragraph 2 above
- 5. Plaintiff and the undersigned (if the undersigned is acting as an agent or 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 paragraph three (3) above.
- 6. Defendant (insert name) _____ has signed a waiver of his or her rights under the U.S. Servicemembers Civil Relief Act of 2003.

Affiant/Plaintiff/Agent

Subscribed and sworn to before me this _____ day of _____, 200__.

Notary or Clerk of the Court