Case No._____

_____ IN THE JUSTICE COURT

_____Plaintiff

VS. PRECINCT ONE

_____

_____Defendant OF WISE COUNTY TEXAS

SMALL CLAIMS PETITION

☐ **I hereby state that I am filling a Small Claims Case: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, or personal property. The claim can be for no more than $20,000 excluding statutory interest and court costs but including attorney's fees, if any.**

I, _____, whose address is _____
(Plaintiff) (Street and Number)

_____, and my telephone numbers are _____
(City, State, and Zip) (Home/Cell)

and_____, and says that _____
(Work/Fax) (Defendant)

whose address is _____
(Street and Number) (City, State and Zip)

and telephone numbers are _____and _____
(Home/Cell) (Work/Fax)

Complaint: The basis for the claim which entitles the plaintiff to seek relief against the defendant is:

_____

_____

_____

_____

Relief: Plaintiff seeks damages in the amount of $_____, and /or return of personal property as described as follows (be specific): _____

_____which has a value of $_____

Additionally, plaintiff seeks the following: _____

_____

Service of Citation: Service is requested on defendant(s) 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:

_____

☐ **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:** _____

_____ _____
Address of Plaintiff's Attorney, if any or Plaintiff if none Petitioner's Printed Name

_____
City State Zip

_____ _____
Phone & Fax No. of Plaintiff's Attorney, if any or Plaintiff if none Signature of Plaintiff or Attorney

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

CAUSE NUMBER: _____

_____	§	**IN THE JUSTICE COURT**
VS.	§	**PRECINCT ONE**
_____	§	**WISE 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 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 the U.S. military – except for any defendant names 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(s)*] _____
_____ has signed, while on active duty, a ***separate written waiver*** of his or her rights under the U.S. Servicemembers Civil Relief Act of 2003.

_____
Affiant

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

_____ _____
(Judge) (Clerk) Justice Court – Pct 1 Notary Public in and for the State of Texas
Wise County, Texas