

JUDGE DIANE DUPNIK  
JUSTICE OF THE PEACE PCT 1  
JP1@ARANSASCOUNTY.ORG  
PHONE (361)790-0130



2840 HIGHWAY 35 NORTH  
ROOM 125 ROCKPORT, TX 78382  
WWW.ARANSASCOUNTYTX.GOV/JP1  
FAX (361)790-5402

**PETITION: SMALL CLAIMS CASE**

**CAUSE #** \_\_\_\_\_

**In the Justice Court, Precinct 1, Aransas County, Texas**

**PLAINTIFF:**

Legal Name: \_\_\_\_\_ **Phone:** \_\_\_\_\_  
Address: \_\_\_\_\_ Home: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Work: \_\_\_\_\_  
\_\_\_\_\_

**DEFENDANT(S):**

Legal Name: \_\_\_\_\_ **Phone:** \_\_\_\_\_  
Address: \_\_\_\_\_ Home: \_\_\_\_\_  
City, Texas, Zip: \_\_\_\_\_ Work: \_\_\_\_\_  
\_\_\_\_\_

**2nd DEFENDANT:** *(additional service fees required)*

Legal Name: \_\_\_\_\_ **Phone:** \_\_\_\_\_  
Address: \_\_\_\_\_ Home: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ Work: \_\_\_\_\_  
\_\_\_\_\_

**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 \$ \_\_\_\_\_.

**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:** \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF'S SIGNATURE

\_\_\_\_\_  
PLAINTIFF'S PRINTED NAME

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No. \_\_\_\_\_

**AFFIDAVIT**

SEC. 201(b) Service members Civil Relief Act

Plaintiff/agent/attorney being duly sworn on oath under penalty of perjury (fine and/or up to one year in jail) deposes and says that \_\_\_\_\_, defendant(s) (check one):

- Is not subject to the Service members Civil Relief Act of 2003 or a dependent of a service member.
- Is on active military duty and/or is subject to the Service members Civil Relief Act of 2003.
- Defendant has waived his/her rights under the Service members Civil Relief Act of 2003.
- Service member status of defendant is unknown at this time.

\_\_\_\_\_  
 Plaintiff's  Agent's  Attorney's Signature

\_\_\_\_\_  
Printed Name  
STATE OF TEXAS  
COUNTY OF ARANSAS

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 Clerk of the Court or  Notary Public

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JUSTICE COURT CIVIL CASE INFORMATION SHEET

CASE 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.

<b>1. Contact information for person completing case information sheet:</b>		<b>2. Names of parties in case:</b>
Name: _____	Telephone: _____	<i>Plaintiff(s):</i> _____
Address: _____	Fax: _____	<i>Defendant(s):</i> _____
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.	

FEEES FOR FILING CIVIL SUITS-JUSTICE COURT/SMALL CLAIMS  
DOCUMENT OR ACTIVITY

Method of payments: money order, cashier check, and credit/debit card (\$5.95)

JUSTICE COURT

Filing Fee.....\$46.00  
Citation Service Fee (each person).....\$75.00  
Total fee for Justice Court Suit (one defendant).....\$121.00

JURY FEE.....\$22.00

FILING SUIT WHEN DEFENDANT(S) ARE OUT OF STATE OR OUT OF COUNTY-

Filing Fee ONLY.....\$46.00  
Service Fee (contact Constable of that county and precinct for fees)

CERTIFIED MAIL.....\$15.00

ABSTRACT OF JUDGMENT.....\$5.00

WRIT OF EXECUTION (Aransas County)

Fee for filing.....\$5.00  
Writ service fee.....\$125.00  
Total.....\$130.00

Certificate of Last Known Address

The undersigned certifies that the last known mailing address of the Defendant against whom judgment is taken in this proceeding:

Defendant's Name: \_\_\_\_\_

Defendant's Address: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Attorney of Record for Plaintiff

\_\_\_\_\_  
Address

*This document is required to be filed when a judgment is taken by default so that the Court may notify the defendant of the entry of the default judgment.*

**The Service Members Civil Relief Act, 50 U.S.C. App 507 Et Seq**, Passed December 19, 2003, requires the plaintiff in any civil proceeding in which the defendant does not make an appearance to file with the court an affidavit (A) stating whether or not the defendant is in the military service and showing necessary facts to support the affidavit; or (B) if the plaintiff is unable to determine whether or not the defendant is in the military service, stating that the plaintiff is unable to determine whether or not the defendant is in the military service.

**PENALTY FOR MAKING OR USING A FALSE AFFIDAVIT:** A person who makes or uses a military status affidavit, or statement, declaration, verification, or certificate, 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.

Costs for an attorney ad litem may be assessed against the plaintiff as costs of court.