

JUDGE DIANE DUPNIK
JUSTICE OF THE PEACE PCT 1
JP1@ARANSASCOUNTY.ORG



308 North Live Oak Street
ROCKPORT, TX 78382
PHONE (361)790-0130
FAX (361)790-5402

CAUSE NO. _____

PLAINTIFF	§ IN THE JUSTICE COURT
	§
	§
V.	§ PRECINCT NO. 1
	§
	§
DEFENDANT	§ ARANSAS COUNTY, TEXAS

PETITION: SMALL CLAIMS CASE

Defendant(s) address: _____

COMPLAINT: The basis for the claim which entitles Plaintiff to seek relief against Defendant is:

RELIEF: Plaintiff seeks: damages in the amount of \$ _____, 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, registered mail, certified mail, return receipt requested. If required, Plaintiff requests alternative service as allowed by the Texas Rules of Civil Procedure. Other addresses where Defendant(s) may be served are: _____

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I hereby request a jury trial. The fee is \$22 and must be paid at least 14 days before trial.

I hereby consent for the answer and any other motions or pleadings to be sent to my email address as follows: _____

Plaintiff's Printed Name

**Signature of Plaintiff
or Plaintiff's Attorney**

Defendant's Information (if known):

Date of birth: _____
Last three digits of Driver License: _____
Last three digits of Soc. Sec. No.: _____
Phone No.: _____

**Address of Plaintiff
or Plaintiff's Attorney**

Phone & Fax No. of Plaintiff
or Plaintiff's Attorney

Subscribed and sworn to, before me on this _____ day of _____, 20_____.
[Signature]

Clerk of the Court

Notary Public

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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 Signature Agent's Signature Attorney's Signature

Printed Name

**STATE OF TEXAS
COUNTY OF ARANSAS**

Subscribed and sworn to, before me on this _____ day of _____, 20_____.

Clerk of the Court Notary Public

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 unless otherwise ordered by the court.

FEES 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.....\$54.00

Citation Service Fee (each person).....\$125.00

Total fee for Justice Court Suit (one defendant).....\$179.00

JURY FEE.....\$22.00

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

Filing Fee ONLY.....\$54.00

Service Fee (contact Constable of that county and precinct for fees)

CERTIFIED MAIL (small claims only).....\$15.00

ABSTRACT OF JUDGMENT.....\$5.00

WRIT OF EXECUTION (Aransas County)

Fee for filing.....\$5.00

Writ service fee.....\$160.00

Total.....\$165.00

For all writs executed out of Justice of the Peace Courts, an additional \$50.00 per hour is charged, if the Officer standby exceeds one hour.