

**EVICTIION COMPLAINT**

Cause # \_\_\_\_\_  
Justice of the Peace, Pct 1  
Randall County, Texas

**Plaintiff:** \_\_\_\_\_  
(Or agent)

**Vs.**

**Defendant:** \_\_\_\_\_  
(Signed lease)

**TO THE HONORABLE JUDGE OF SAID COURT:**

Plaintiff files this sworn complaint against the above named Defendant(s) to evict them from Plaintiff's premises (including storerooms and parking areas) which is located within Pct. 1 or Randall County, Texas, such premises being:

---

Street	City	Zip
--------	------	-----

Service if requested on Defendant(s) by personal service at home or work or by alternate service under Rule 742 if necessary.

Plaintiff and Defendant entered into a rental/lease agreement for occupancy of the above stated property.

Plaintiff delivered to Defendant(s) a written notice to vacate in accordance with the applicable notice requirements of Section 24.005 or Section 24.006, Texas Property Code; or, if the land or lot was rented for occupancy by a manufactured home not owned by plaintiff, notice to vacate was delivered under Section 94.2-3, Texas Property Code.

If the rental agreement is for the rental of land on which a manufactured home has been placed by the defendant(s), plaintiff has complied with all notice and time requirements in Section 94.203, Texas Property Code. The name(s) and address(es) of all lien holders on the manufactured home are:

---

Plaintiff requests judgment for possession of said property, including removal of Defendant(s) and Defendants' possessions; unpaid rent and accrued rent to date of judgment; court costs; attorney fees (if applicable); plus interest at the rate stated in rental contract or if not stated at highest rate provided by law.

The ground or grounds for eviction are as follows: *(check and fill in information as applicable)*  
 **Eviction is for nonpayment of rent.** Defendant(s) have failed to pay the rent for the period beginning the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The total unpaid rent to time of filing this eviction complaint is \$\_\_\_\_\_. The rent is \$\_\_\_\_\_ per  month  week or  other

rental period (*describe period*) \_\_\_\_\_. The most recent rental due date prior to filing this eviction complaint was the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**Eviction is for holding over after rental Agreement.** The date of such expiration or termination was \_\_\_\_\_, 20\_\_\_\_\_.

**Eviction is for holding over after foreclosure.**

**Eviction is for holding over after termination of executory purchase contract (contract for deed)**

**Eviction is for Conduct in violation of rental agreement.**

**Eviction is for property damage.**

**Eviction is for trespass.**

**Eviction on other grounds:** \_\_\_\_\_

Plaintiff requests judgment for plaintiff and against defendant(s) for possession of the premises and issuance of a writ of possession, and all court costs. Additionally, plaintiff requests judgment for plaintiff and against defendant(s) for the following: (*check only if applicable*)

**Rent.** If eviction is based on nonpayment of rent, plaintiff requests judgment for unpaid rent in the amount of \$ \_\_\_\_\_, through the time of filing, and plaintiff also seeks judgment for rent accruing from the date of filing and become due thereafter as allowed by the court.

**Attorneys' fees.** If plaintiff engages an attorney, plaintiff requests judgment for attorneys' fees because (*check only one*)  defendant(s) signed a written rental agreement containing a provision entitling plaintiff to attorneys' fees, or  plaintiff has given 10-day notice to vacate as provided in Section 24.006, Texas Property Code.

**Post-judgment interest.** If plaintiff is granted judgment for rent or attorneys' fees, plaintiff requests judgment for post-judgment interest as allowed by statute or the rental agreement.

PLAINTIFF: \_\_\_\_\_

By: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF RANDALL

Sworn to and subscribed before me by the above signatory on the \_\_\_\_  
day \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of Texas  
or Justice Court Clerk

STATE OF TEXAS  
COUNTY OF RANDALL

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 \_\_\_\_\_ I am *[check one]*  the plaintiff or  an authorized agent of the plaintiff in the case described at the top right of this page. I am over 18 years of age. I am capable of making this affidavit. The facts stated in the 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 is on active duty in the U.S. military.
3. Defendant has been deployed by the U.S. military to a foreign county.
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 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 paragraph 2 above.
6. Defendant has signed, while on active duty, a separate written waiver or a written lease containing a waiver of his or her rights under the U.S. Servicemember Civil Relief Act of 2003.

\_\_\_\_\_  
Signature of affiant

SWORN TO and SUBSCRIBED before me by the above signatory on \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Clerk of the Justice Court