



Richard Luhrs  
Justice of the Peace – Pct. #2 – Colorado County, Texas  
105 E Main – PO Box 945 – Weimar, Texas 78962  
Telephone: (979) 725-8833 Fax: (979) 725-8671

## **LOCAL RULES FOR JURY TRIALS SMALL CLAIMS OR JUSTICE COURT**

1. Jury fee must be paid at the time of request for jury trial.
2. In all cases where a request has been made for a jury trial and a jury fee has been paid, **the case will be ordered to mediation and the trial date will not be set until after the mediation process has been completed and the mediator has advised the court whether the parties and their counsel appeared as ordered and whether a settlement resulted.**

### **STANDING DISCOVERY ORDER FOR JUSTICE AND SMALL CLAIMS COURTS**

Pursuant to Rule 190.5 of the Texas Rules of Civil Procedure, and in the interests of justice, the Court hereby modifies the Discovery Control Plan that governs cases in these Courts under Rule 190.1 as follows:

1. Requests for Admissions may not be imbedded in a petition. See Rule 191.4 (Requests for Admissions “must not be filed.”) A party who violates this Standing Order may not rely on alleged Deemed Admissions for any purpose in case in which the Request for Admissions were imbedded in the petition, including in connection with a Motion for Default Judgment or a Motion for Summary Judgment.
2. Deemed Admissions may not be used against any party in a case (including a defendant who has not filed an answer) in the absence of strict proof of service of the corresponding Requests for Admissions on such party.
3. The parties may apply for a modification of this Standing Discovery Order at any time for good cause.

SO ORDERED this 5<sup>th</sup> day of December, 2008.

RICHARD LUHRS, Judge  
Justice Court, Precinct 2  
Colorado County, Texas



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## MOTION FOR NEW TRIAL

Within five days from date of judgment, file a written motion to set aside judgment and grant a new trial. (Rule 567, Texas Rules of Civil Procedure)

## APPEAL RULES FROM JUSTICE COURT

Any party to a suit may appeal judgments from Justice Court. A bond in an amount set by the court is required to perfect the appeal. An appeal bond may be posted either in cash, or by having two (2) sureties sign a written "oath" where they pledge to be responsible by listing their non-exempt Real or Personal property which may be seized and sold to satisfy the bond amount.

A pauper's affidavit may be filed in lieu of cash or surety. These forms are not provided by the court, and must be filed within FIVE (5) days from the date of judgment in Justice Court.

### RULES TO APPEAL FROM JUSTICE COURT

- Bond must be filed with the court within TEN (10) days from the date of judgment.
- If for the defendant, bond shall be double the amount of the judgment, plus the amount of the costs incurred in the Justice Court and estimated costs in County Court.
- If for the plaintiff, bond shall be double the amount of the costs incurred in the Justice Court and estimated costs in County Court, less such sums paid by the plaintiff on the costs.

### FILING FEES IN ADDITION TO AN APPEAL BOND

The cost to file an appeal with the Justice of the Peace is \$10.00.

The County Clerk required that the costs in the County Court be paid within 20 days of appeal. You **must** contact the **County Clerk** to determine how much these costs are.