

**EVICITION LAWSUIT  
PLAINTIFF'S ORIGINAL PETITION**

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

Plaintiff	X	
VS.	X	IN THE JUSTICE COURT
Defendant	X	FOR PRECINCT THREE OF
	X	COLORADO COUNTY, TEXAS
	X	
	X	

Comes now the Plaintiff in the above numbered and entitled cause, whose name, mailing address and telephone number is:

(Plaintiff's Name)	(Plaintiff's Telephone Number)
(Plaintiff's Street Address or P.O. Box number)	(City and State) (Zip)

(Agent or Attorney for Plaintiff, name, address, phone & fax)  
complaining of the Defendant in the above numbered and entitled cause, whose name, mailing address & telephone number is:

(Defendant's Name)	(Defendant's Telephone Number)
(Defendant's Street Address or P.O. Box number)	(City and State) (Zip Code)

(Agent or Attorney for Defendant, name, address, phone & fax)

\_\_\_\_\_  
(Defendant's work address)

\_\_\_\_\_  
(Other address(s) where Defendant may be served with process) \*Attach any others as "Exhibit A"

No other home or work addresses of the Defendant in the county are known to the Plaintiff. [RCP Rule 742a]

1. This lawsuit is to evict \_\_\_\_\_, a tenant who leases the property located at \_\_\_\_\_, which is in Precinct 3 of Colorado County, Texas and the Owner/Landlord of the property is: \_\_\_\_\_.

2. The Defendant rented this property on or about the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and still holds the property.

3. The lease is (check one): ( ) ORAL ( ) WRITTEN

4. The rent is \$ \_\_\_\_\_ per month and is due on the \_\_\_\_\_ day of each month.

5. Plaintiff entered into an agreement with the Defendant for occupancy of the leased premises. Defendant has violated the terms of the agreement by:

\_\_\_ Failing to pay rent for the period beginning \_\_\_\_\_, 20\_\_\_\_, and running through the present.

\_\_\_ Breaching the terms and conditions of the agreement by:  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ Holding over the leased premises after the termination of the agreement and written demand by the Plaintiff for the return of the same.

6. Written notice to vacate and demand for possession was given on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_ in the following manner: \_\_\_\_ Certified Mail \_\_\_\_ Personal Delivery \_\_\_\_ Posting on the entry door of the premises.

7. Plaintiff is entitled to and seeks possession of the leased premises after having made written demand of the Defendant for the return of the same, and Defendant is still in possession of the leased premises.

8. In addition to possession of the leased premises, Plaintiff seeks judgment against Defendant for:

\_\_\_\_ Back rent in the amount of \$\_\_\_\_\_, plus daily rent in the amount of \$\_\_\_\_\_ per day as may accrue between the date of filing this complaint and surrender of the leased premises.

\_\_\_\_ Interest at the maximum legal rate compounded annually until judgment is paid in full.

\_\_\_\_ Reasonable attorney's fees if employment of counsel is necessary and verified.

WHEREFORE, PREMISES CONSIDERED, Plaintiff request that Defendant be cited to answer the complaint; and upon final hearing

Plaintiff prays that Defendant be adjudged Guilty of forcible detainer; that restitution of the leased premises be made to the Plaintiff; and that Plaintiff recover of Defendant judgment for the amount which Plaintiff may show the court Plaintiff is entitled to recover including rent, interest, attorney's fees, and costs, and for such other relief, at law or in equity as Plaintiff may show entitlement.

\_\_\_\_\_  
PLAINTIFF

BY:

\_\_\_\_\_  
PLAINTIFF'S AGENT

SWORN TO AND SUBSCRIBED before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
COURT CLERK

OR

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of Texas

My Notary Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary's Name Printed

**THIS AFFIDAVIT MUST BE SIGNED AND SWORN TO AT THE TIME OF FILING AN EVICTION SUIT, OR THE PETITION FOR EVICTION WILL NOT BE ACCEPTED!**

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

In The Justice Court of Precinct Three, Colorado County, Texas

**AFFIDAVIT  
SERVICE MEMBERS CIVIL RELIEF ACT SEC. 201.(b)**

**Plaintiff in the above numbered cause, being duly sworn on oath deposes and says that Defendant(s)**

- ( ) is not in the military
- ( ) is not on active duty in the military and/or
- ( ) is not in a foreign country on military service
- ( ) is on active military duty and/or is subject to the Service Members Relief Act of 2003
- ( ) has waived his/her rights under the Service Members Relief Act of 2003
- ( ) military status is unknown at this time.

\_\_\_\_\_  
PLAINTIFF SIGNATURE

\_\_\_\_\_  
PLAINTIFF NAME PRINTED

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

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC or COURT CLERK SIGNATURE

\_\_\_\_\_  
NOTARY PUBLIC or COURT CLERK NAME PRINT

**PENALTY FOR MAKING OR USING FALSE AFFIDAVIT – A person who makes or uses an affidavit knowing to be false, shall be fined as provided in title 18 United States Code, or imprisoned for not more than one year or both.!**