

Justice Court Civil Cases in PANOLA County

For any questions regarding Justice Court Civil Cases, please research the Texas Property Code and Texas Rules of Civil Procedure or contact an attorney.

The person filing the case(s) is the one who needs to fill out the paperwork, or their attorney can do the paperwork for them. We can only give procedure answers, not legal answers. You have to consult an attorney for legal questions. Either sign the forms in front of a notary public or in front of the Clerk of the Court.

The Plaintiff is the person filing the suit. The Defendant is the one being sued.

WARNING:
ANY FORMS FURNISHED BY THIS COURT ARE A
COURTESY OF THE COURT. THE COURT, IN NO
WAY, ASSERTS THE CORRECTNESS OR
APPLICABILITY OF THESE FORMS, OR INDEED
ANY FORM. USE AT YOUR OWN RISK.

The Plaintiff is required to supply the Court with enough copies of their documents to send with the Citation for service. For filing on one individual, **four copies** of each document filed is required. One for the Plaintiff to retain for their records, two to attach to the Citation and copy for Service, and one copy for the Court's file. For each additional person in each suit filed, the Plaintiff must file **three** additional copies. If the Court has to provide these copies, there will be a **charge of \$0.25 per page for standard 8 ½ x 11 or 8 ½ x 14 size documents.**

****Any claim filed in Justice Civil Court cannot exceed \$10,000****
****See below for further explanation.****

A defendant has the right to be sued in the county in which they reside; however, the case is usually filed where the transaction took place. If the person(s) live out of Panola County, the service fee may be different. Then we charge \$41 to file the case plus the service fee. We have a book containing other County's contact information to assist you in contacting them to verify their service fees and where to send the papers for service. Costs to file Claims in Panola County are 91.00 to file and serve one person, and \$50 extra for each additional person served.

FORMS

If you wish to use your own forms, you may do so, but they **must** be in compliance with the Rules of Civil Procedure.

A **Civil Case Information Sheet** (if our form is being used) **must** be filed with every new filing. Forms need to be filled out completely and properly to insure correct filing. A full physical address for service on each Defendant must be included on the petition—unless you are requesting service by mail, which can be obtained on physical/Post office box addresses, (if service by mail is applicable). Be sure the Plaintiff's name, address, and phone number or any other contact information is on the petition.

DEBT CLAIM:

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 \$10,000.00 excluding statutory interest and court costs but including attorney fees, if any. The Plaintiff/Attorney will need to fill out the form **Petition: Debt Claim Case**, if our form is being used. (They can ask for attorney fees and not list an amount if it is possible an attorney may be brought into the suit.)

SMALL CLAIMS:

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 \$10,000.00 excluding statutory interest and court costs but including attorney fees, if any. The transaction had to have been within the past 4 years. The Plaintiff/Attorney will need to fill out a **Petition: Small Claims Case** if our form is being used. On the form, they need to specify what each money owed is owed for. (You can ask for attorney fees and not list an amount if it is possible an attorney may be brought into the suit.)

REPAIR AND REMEDY:

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 and 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. The tenant/Plaintiff/Attorney will need to fill out a **Petition for Relief Under Section 92.0563 of the Texas Property Code form** if our form is being used.

EVICITION:

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.

A **Demand for Possession/or Notice to Vacate** ***must*** be given to the tenant(s) and the deadline be passed before an Eviction suit can be filed. If there is an existing lease in place, you ***must*** follow those guidelines. The state of Texas requires notice to be given to the tenant(s) in writing and that a minimum of 3 days must be given to the tenant(s) before they must vacate. Some instances require more time. For example, in a mobile home community/trailer park, a minimum of 10 days in writing must be given to the tenant(s) to remedy the rent. Then, a second notice in writing giving an additional minimum of 3 (three) days must be given to Vacate the premises if they have failed to remedy the rent. Please refer to the Property Code that applies to the Landlord/ Tenant laws for specific guidelines. After the time limit has expired on the Demand for Possession/Notice to Vacate, the plaintiff/landlord/Attorney must fill out the **Eviction Petition form**, (if our form is being used) and file the case in the precinct and County in which the rental property is located. Each person on the lease ***MUST*** be filed on and served in order for them to be required to vacate the premises.

In a Forcible Entry/Detainer case, no written notice has to be given to the person(s) who has forcibly entered the property and is staying there without permission. Verbally telling them to leave the property is all that is required. The owner can file the Forcible Entry/Detainer suit immediately with the appropriate Precinct and County in which the Property is located.

MILITARY CONFIRMATION

Before a Default judgment can be entered, proof of Military Status of the Defendant(s) ***must*** be filed. You can go to <https://www.scra.dmdc.osd.mil/> -will act like is not going to open, will redirect you to the website, it is ok to go to the website, it is secure. Must enter the person's name and month and year of their birth. Print off the form stating their status to file with your case.

CERTIFICATE OF LAST KNOWN MAILING ADDRESS

Before a Default judgment can be entered, the **Last Known Mailing Address Certificate** (if our form is being used) ***must*** be filed.

ANSWERING SUITS EXCLUDING EVICTION or REPAIR & REMEDY:

There are three things that can happen when a Defendant(s) answer to a suit.

- 1) Defendant can agree to the charges and pay them or make arrangements with the Plaintiff to make payments.
- 2) Defendant can disagree with the charges and request a trial by Judge or Jury and pay the appropriate fees.
- 3) Defendant can ignore the suit, and a Default Hearing must be requested and filed by the Plaintiff to proceed. A Certificate of Last Known Mailing Address AND Military Status of each Defendant ***must*** be

filed before a Default Judgment can be entered.

All answers **must** be filed in writing with the Court by each Defendant on or before the appearance date to keep a Default Judgment from being entered against him/her. Defendants are given 14 calendar days from the date of Citation Service to file a written answer with the court on their case, **EXCLUDING** eviction cases AND repair and remedy cases. An **Answer form** or the Defendant's own answer in writing **must** be filed with the appropriate Court. Each Defendant's signature or their Attorney's signature **must** be on the answer.

ANSWERING TO AN EVICTION:

A written answer in Eviction cases is not required but can be filed. Once the Citation is served, a hearing date is actually set for both parties to be present. There are procedural guidelines that must be followed in evictions. Because of deadline restrictions on eviction cases, please contact the civil clerk with any questions regarding Eviction cases. The Court date is specified on the Citation that is served to the Defendant(s). A tentative court date is given to the Plaintiff at the time of filing. There are time restraints on the hearing process in evictions, so be sure the clerk has a phone number for the Plaintiff in the event the court date has to be changed. A separate trial notice will **not** be sent to notify parties of the court setting in the suit-**unless it is a resetting.**

All parties **must** have all the necessary information, paperwork, witnesses, etc with them on the trial/hearing date so that the case may proceed without further delay. Either party can request a Jury trial. In eviction cases, the request must be in writing and filed with the court no less than 3 days before the court date. The jury fee also must be paid by the requesting party, and this fee is non-refundable.

ANSWERING TO A REPAIR AND REMEDY CASE:

A written answer in Repair and Remedy cases is not required but can be filed. Once the Citation is served, a hearing date is actually set for the parties to appear. There are time restraints on the hearing process in Repair and Remedy cases, so be sure the clerk has a phone number for the Plaintiff in the event the court date has to be changed. A separate trial notice will **not** be sent to notify parties of the court setting in the suit-**unless it is a resetting.**

TRIALS:

Trial notices will be sent to all parties by Regular and Certified Mail giving notice of the date and time for the court appearance. If the Plaintiff fails to appear, he/she risks dismissal of their case. If the Defendant fails to appear, he/she may risk a judgment being entered against them. All parties **must** have all the necessary information, paperwork, witnesses, etc with them on the trial/hearing date so that the case may proceed without further delay. There needs to be a minimum of 3 copies of any documents you wish to use in court. (one for yourself, the opposing party, and the Court) Failure to provide these copies can result in delays of the trial, or resetting of the case completely. **There is a charge of 0.25 per page if the court has to make these copies.** Please request these copies be done before time to enter the courtroom.

Either party can request a Jury trial. In eviction cases, the request must be in writing and filed with the court no less than **3** days before the court date. The jury fee also must be paid by the requesting party, and this fee is non-refundable. In Debt Claim and Small Claims cases, the request must be in writing and filed with the court no later than **14** days before trial.

ABSTRACT of Judgment

An Abstract of Judgment is done by the party to file a lien against any real property the losing party may own or wish to purchase. This also enables the Judgment to be put on the losing party's credit report until the debt is satisfied. The Abstract cannot be filed before the Judgment has reached the day after the appeal deadline. An abstract can be renewed after ten years if the debt has not been remedied. To remove or release this judgment lien, an original **Release of Lien** must be filed with the County Clerk(s) that the abstract was filed with. There is a filing fee to release this lien. Either party can pay these fees to release the lien. A copy also must be filed with the appropriate court that issued the Abstract of Judgment.

WRITS

A **writ of execution** is issued when a Judgment is already been placed against a party. The writ cannot be processed until the Judgment is past 30 days old. The person who received the Judgment in their favor can

request this type of writ to see if the other party has any belongings/property that is not considered exempt property in the Property Code Chapter 42 that can be seized for sale to satisfy the judgment. If the debt has not been remedied, this type of writ can be processed every ten years; or, this type of writ can also be requested when there are changes to a person's lifestyle/income, etc. The issuance of this type of writ keeps the judgment active for ten years. If not processed within the ten year window, the judgment becomes dormant.

A **writ of sequestration** is issued when a civil suit is filed and possession of actual items are being withheld from the other party and the defendant has failed to make their payments as agreed in a contract, or they have possession and will not return the item(s). A writ of sequestration is not a search warrant. The plaintiff must provide a physical address where the item(s) are located. To obtain this type of writ, a surety bond for double the amount of the worth of the item(s) must be filed with the Civil suit. The plaintiff can decide if he/she wants the actual items returned or if they wish to sue for the monetary value that is owed for the item(s). A hearing is set to decide ownership of the items. A replevy bond can be filed by the Defendant if they feel they have the right to retain the item(s) filed for. If this type of suit is filed maliciously, the other party could receive the amount of the bond filed.

A **writ of possession** is issued when the Plaintiff/Landlord is unable to get the Tenant(s) to vacate the property, even after the Judgment for possession has been signed by the Judge. This writ cannot be issued until the 7th day after the Judgment for possession is signed or after the deadline for the judgment to be appealed. This writ may not issue more than 60 days after a judgment for possession is signed. For good cause, the court may extend the deadline for issuance to 90 days after a judgment for possession is signed. A writ of possession **must** not be issued if an appeal is perfected, and if applicable, rent is paid into the registry, as required by the Texas Rules of Civil Procedure.

You can file the form labeled **Request for Abstract/Writ of Possession or Execution** to request the Court process these. Or file your own request with the appropriate court.

PLEADINGS AND MOTIONS

All pleadings, motions, answers, etc must be filed in writing with the court.

*FEES:

FILING FEE FOR ALL CIVIL CASES	\$ 46.00
SERVICE FEE FOR EACH DEFENDANT IN PANOLA COUNTY	\$ 50.00
SERVICE FEE BY MAIL FOR EACH DEFENDANT	\$ 11.00
ABSTRACT OF JUDGMENT PREPARATION	\$ 15.00
FILING OF ABSTRACT IN PANOLA COUNTY	\$ 26.00
WRIT OF EXECUTION/SEQUESTRATION/POSSESSION prep fees	\$ 15.00
SERVICE OF EACH WRIT PREVIOUSLY LISTED	\$100.00
JURY TRIAL	\$ 22.00
COPIES PER PAGE	\$ 0.25

**Fees can be waived after the filing of a sworn statement of inability to pay the fees and the Judge approves the finding in a hearing.
Please ask the Clerk/Court for these documents if you need them.**

Judge David A. Gray
Precinct 1 and 4
110 S Sycamore, Ste 105
Carthage, TX 75633
903-693-0375
Fax 903-694-2674
Clerk: Clarissa Monreal

Judge Toni Hughes
Precinct 2 and 3
110 S. Sycamore, Ste 103
Carthage, TX 75633
903-693-0377
Fax 903-693-4708
Clerk: Maria Hernandez

Civil Clerk: Mary Sue Kiper

**THE STATE OF TEXAS
COUNTY OF PANOLA**

To: _____ of said county:

You are hereby notified that I demand of you the immediate possession of the following land and premises, to wit:

**YOU MUST VACATE THE ABOVE-DESCRIBED PREMISES
WITHIN _____ DAYS NOT COUNTING THE DATE OF SERVICE.**

Situated in Panola County, Texas, now occupied by you, which you from me illegally detain; and unless my demands be complied with at once, I shall proceed against you as the law directs.

Witness my hand this the ____ day of _____, 20____.

Signature of Landlord/Agent
(NOTARY NOT REQUIRED)

THIS NOTICE IS GIVEN PURSUANT TO TEXAS PROPERTY CODE, SECTION 24.005-6, PRIOR TO FILING A FORCIBLE DETAINER LAWSUIT IN THE PROPER JURISDICTION.

IMPORTANT DOCUMENT

DOCKET NO. _____
CASE NO. _____

**AFFIDAVIT
SEC.201(b)**

Plaintiff being duly sworn on oath deposes and says that defendant(s):

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

PLAINTIFF

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

NOTARY PUBLIC IN AND FOR THE STATE
OF TEXAS/ CLERK OF THE JUSTICE COURT

Penalty for making or using false affidavit – a person who makes or uses an affidavit 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.

GO TO <https://www.scra.dmdc.ods.mil/> to obtain documented proof that the person is/is not military.

Must attach that form to this one.

PETITION: DEBT CLAIM CASE

CASE NO. (court use only) _____

In the Justice Court, Precinct ____, Panola County, Texas

PLAINTIFF _____
VS.

DEFENDANT(S): _____
Defendant(s) contact info: _____

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 \$_____.

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are:

_____.

ADDITIONAL INFORMATION (CASE BASED ON CREDIT CARD, REVOLVING ACCOUNT, OR OPEN ACCOUNT):

Account/Credit Card Name: _____ Account Number (may be masked): _____
Date of Issue/Origination: _____ Date of Charge-Off/Breach: _____ Amount Owed \$_____ as of _____

ADDITIONAL INFORMATION (CASE BASED ON PROMISSORY NOTE OR OTHER PROMISE TO PAY PERSONAL OR BUSINESS LOAN):

Date/Amount of Original Loan: _____, \$_____
Repayment Accelerated? _____ Date Final Payment Due: _____
Amount Due on Final Payment Date \$_____ Amount Due \$_____ as of _____

ONGOING INTEREST: Plaintiff does, or does not seek ongoing interest. If so, this interest is based on the following contractual/statutory reason: _____ and should be at ____%. \$_____ of interest was due as of _____.

ASSIGNMENT OF CLAIM: Plaintiff was, or was not assigned or otherwise transferred this claim. If so, the original claimant/creditor was _____, subsequent holders were _____, and the date the case was assigned/transferred to plaintiff was _____.

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: _____.

Petitioner's Printed Name

Signature of Plaintiff or Attorney

DEFENDANT(S) INFORMATION (if known):

Address of Plaintiff's Attorney/or Plaintiff if no Attorney

DATE OF BIRTH: _____

City State Zip

*LAST 3 NUMBERS OF DRIVER LICENSE: _____

Phone # of Plaintiff's Attorney/or Plaintiff if no Attorney

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

Fax # of Plaintiff's Attorney/or Plaintiff if no Attorney

DEFENDANT'S PHONE NUMBER: _____

PETITION: SMALL CLAIMS CASE

CASE NO. (court use only) _____

In the Justice Court, Precinct _____, Panola County, Texas

PLAINTIFF _____

VS.

DEFENDANT(S): _____

Defendant(s) contact info: _____

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 \$ _____. Additionally, plaintiff seeks the following: _____

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are:

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: _____

Petitioner's Printed Name

Signature of Plaintiff or Attorney

DEFENDANT(S) INFORMATION (if known):

DATE OF BIRTH: _____

*LAST 3 NUMBERS OF DRIVER LICENSE: _____

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

DEFENDANT'S PHONE NUMBER: _____

Address of Plaintiff's Attorney, if any, or Plaintiff if none

City State Zip

Phone # of Plaintiff's Attorney/or Plaintiff if no Attorney

Fax # of Plaintiff's Attorney/or Plaintiff if no Attorney

TENANT _____
VS
LANDLORD: _____

In the Justice Court
Precinct _____
Panola County, Texas
CAUSE NO. _____

PETITION FOR RELIEF UNDER SECTION 92.0563 OF THE TEXAS PROPERTY CODE

1. COMPLAINT: Tenant files this petition against the above-named Landlord pursuant to Section 92.0563 of the Texas Property Code because there is a condition in Tenant's residential property that would materially affect the health or safety of an ordinary tenant. Information regarding the Residential Rental Property is:

Street Address _____ Unit No. (If any) _____ City _____ State _____ Zip _____

Landlord's Contact Information (to the extent known):

Business Street Address _____ Unit No. (If any) _____ City _____ County _____ State _____ Zip _____ Phone Number _____

2. SERVICE OF CITATION: Check the box next to each statement that is true.

- Tenant received in writing the Landlord's name and business street address.
- Tenant received in writing the name and business street address of Landlord's management company.
- The name of the Landlord's management company is _____. To Tenant's knowledge, this is the management company's contact information:

Business Street Address _____ Unit No. (If any) _____ City _____ County _____ State _____ Zip _____ Phone Number _____

The name of the Landlord's on-premise manager is _____. To Tenant's knowledge, this is the on-premise manager's contact information:

Business Street Address _____ Unit No. (If any) _____ City _____ County _____ State _____ Zip _____ Phone Number _____

The name of Landlord's rent collector serving the residential rental property is _____. To Tenant's knowledge, this is the rent collector's contact information:

Business Street Address _____ Unit No. (If any) _____ City _____ County _____ State _____ Zip _____ Phone Number _____

3. LEASE AND NOTICE: Check the box next to each statement that is true.

- The lease is oral. The Lease is in writing. The lease requires the notice to repair or remedy a condition to be in writing.
- Tenant gave written notice to repair or remedy the condition on _____. The written notice to repair or remedy the condition was sent by certified mail, return receipt requested, or registered mail on _____.
- Tenant gave oral notice to repair or remedy the condition on _____. Name of Person(s) to whom the notice was given: _____. Place where notice was given: _____.

4. RENT: At the time Tenant gave notice to repair or remedy the condition, Tenant's rent was current (no rent owed), not current but Tenant offered to pay the rent owed and Landlord did not accept it, or not current and Tenant did not offer to pay the rent owed. Tenant's rent is due on the ____ day of the r____hth w____k _____. (specify any other rent-payment period). The rent is \$_____ per period previously checked. Tenant's rent (check one): is not subsidized by the government is subsidized by the government as follows, if known: \$_____ paid by the government, and \$_____ paid by the Tenant.

5. PROPERTY CONDITION: Describe the property condition materially affecting the physical health or safety of an ordinary tenant that Tenant seeks to have repaired or remedied: _____

6. RELIEF REQUESTED: Tenant requests the following relief: a court order to repair or remedy the condition, a court order reducing Tenant's rent (in the amount of \$_____ to begin on _____), actual damages in the amount of \$_____, a civil penalty of one month's rent plus \$500 attorney's fees, and court costs. Tenant states that the total relief requested does not exceed \$10,000, excluding interest and court costs but including attorney's fees.

Tenant Signature: _____
Street Address: _____

City _____ State _____ Zip _____
Phone Number(s): _____ Date: _____

PETITION: EVICTION CASE

CASE NO. (court use only) [] With suit for Rent COURT DATE: In the Justice Court, Precinct, Panola County, Texas

PLAINTIFF (Landlord/Property Name) Rental Subsidy (if any) \$ Tenant's Portion \$ DEFENDANT(S): TOTAL MONTHLY RENT \$

COMPLAINT: Plaintiff (Landlord) hereby complains of the defendant(s) named above for eviction of plaintiff's premises (including storerooms and parking areas) located in the above precinct. Address of the property is:

Street Address Unit No. (If any) City State Zip

1. SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are:

2. UNPAID RENT AS GROUNDS FOR EVICTION: Defendant(s) failed to pay rent for the following time period(s): TOTAL DELINQUENT RENT AS OF DATE OF FILING IS: \$

Plaintiff reserves the right to orally amend the amount at trial to include rent due from the date of filing through the date of trial.

3. OTHER GROUNDS FOR EVICTION/LEASE VIOLATIONS: Lease Violations (if other than non-paid rent - list lease violations)

4. HOLDOVER AS GROUNDS FOR EVICTION: Defendant(s) are unlawfully holding over since they failed to vacate at the end of the rental term or renewal of extension period, which was the day of , 20.

5. NOTICE TO VACATE: Plaintiff has given defendant(s) a written notice to vacate (according to Chapter 24.005 of the Texas Property Code) and demand for possession. Such notice was delivered on the day of , 20 and delivered by this method:

6. ATTORNEY'S FEES: Plaintiff will be or will NOT be seeking applicable attorney's fees. Attorney's name, address, and phone & fax numbers are:

7. BOND FOR POSSESSION: If Plaintiff has filed a bond for possession, plaintiff requests (1) that the amount of plaintiff's bond and defendant's counter bond be set, (2) that plaintiff's bond be approved by the Court, and (3) that proper notices as required by the Texas Justice Court Rules are given to Defendant(s).

REQUEST FOR JUDGMENT: Plaintiff prays that defendant(s) be served with citation and that plaintiff have judgment against defendant(s) for: possession of premises, including removal of defendants and defendants' possessions from the premises, unpaid rent IF set forth above, attorney's fees, court costs, and interest on the above sums at the rate stated in the rental contract, or if not so stated, at the statutory rate for judgments under Civil Statutes Article 5069-1.05.

I give my consent for the answer and any other motions or pleadings to be sent to my email address which is:

Petitioner's Printed Name Signature of Plaintiff (Landlord/Property Owner) or Agent DEFENDANT(S) INFORMATION (if known): DATE OF BIRTH: Address of Plaintiff (Landlord/Property Owner) or Agent *LAST 3 NUMBERS OF DRIVER LICENSE: City State Zip *LAST 3 NUMBERS OF SOCIAL SECURITY: DEFENDANT'S PHONE NUMBER: Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent

Sworn to and subscribed before me this day of , 20.

Defendant Answer Form

CASE NO. _____

PLAINTIFF
VS.

DEFENDANT

IN THE JUSTICE COURT
PANOLA COUNTY
PRECINCT _____

DEFENDANT'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the Defendant listed above, (or the duly authorized agent or attorney for said Defendant), in the above-entitled and numbered cause, and hereby files an answer to the allegations contained in the Plaintiff's Original Petition on file for this case. Defendant hereby

ADMITS the allegations and consents to the entry of a Judgment against me as requested. I hereby waive my right to a trial.

DENIES generally the allegations and says that each and every item of the account or claim made the basis of the cause is not just or true. Defendant further denies generally each and every, all and singular, the allegations contained in the Plaintiff's Original Petition on file in this cause. WHEREFORE, premises considered, Defendant prays judgment of this Court that Plaintiff take nothing by this suit, for all of Defendant's costs incurred herein, and for such other relief to which Defendant may prove to be justly entitled. Defendant further reserves the right to plead further at trial. The Defendant requests a trial by Judge OR trial by jury-I understand there is a fee of \$22.00 that must be paid to request a trial by jury in this cause.

I can be notified of further proceedings in this case at:

Defendant (print name)

Authorized Agent or Attorney (print name)

Address (print)

Address (print)

City State Zip City

State Zip

Phone Number

Phone Number

Email (if you wish to receive notices by email)

Email (if you wish to receive notices by email)

Signature of Defendant

Signature of Authorized Agent/Attorney

Said Defendant (or authorized agent or attorney), in the above-named cause, being duly sworn by me, the undersigned authority, upon oath, says that the facts as stated in the above instrument of writing, are within the knowledge of said affiant, and are true and correct.

SWORN TO BEFORE the undersigned authority on this the _____, 20____.

Justice Court Clerk / Notary Public

DEFENDANT MUST File original with the Court/Keep copy for your records/Send copy to Plaintiff

CASE NO. _____

PLAINTIFF

VS

DEFENDANT

DEFAULT HEARING REQUEST

The defendant has failed to file a written answer with the court and/or make proper arrangements with me to take care of their debt. I hereby request that a Default Hearing be set so that I may obtain a Judgment in this case.

PLAINTIFF'S SIGNATURE

date

CASE NUMBER _____

_____	§	IN THE JUSTICE COURT
VS	§	PRECINCT _____
_____	§	PANOLA COUNTY, TEXAS

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 is _____
 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.

PANOLA COUNTY, PRECINCT _____
JUSTICE COURT
Case _____

VS

I hereby wish to dismiss the above-referenced suit. The Defendant(s) paid this suit in full as of _____. I hereby swear and affirm that the Judgment Lien shall be released for payment in full.

Subscribed and sworn before me this the ____ day of _____, 20__ by _____, Plaintiff. (or by representative if doing for a business)

Plaintiff/Representative

Subscribed to and sworn before me this the ____ day of _____, 20__.

(seal)

Notary Public in and for the State of Texas
My Commission Expires _____

A completed original of this form must be filed with the County Clerk in the County(ies) that the Abstract of Judgment has been filed. There is a fee for this filing. It can be filed by either the Plaintiff or the Defendant, but it must be filed to release the lien. A copy also needs to be filed with the Court that issued the Original Judgment for this case.

CASE # _____

VS.

PLAINTIFF

DEFENDANT

REQUEST FOR ABSTRACT/WRIT OF POSSESSION/WRIT OF EXECUTION

CHECK THE ITEM(S) REQUESTING AND FILL OUT FORM

- ABSTRACT OF JUDGMENT (FEE: \$15.00 PER ABSTRACT FOR OUR OFFICE TO PREPARE EACH)
NUMBER OF ABSTRACT(S) REQUESTED: _____
- WRIT OF POSSESSION (FEE: \$15.00 PER WRIT FOR OUR OFFICE TO PREPARE)
- WRIT OF EXECUTION (FEE: \$15.00 PER WRIT FOR OUR OFFICE TO PREPARE)

DATE OF JUDGMENT: ____/____/____

PAYMENTS FROM DEFENDANT (TO DATE): \$0.00 OR \$ _____

DEFENDANT IDENTIFIERS: DATE OF BIRTH: _____

DRIVER'S LICENSE (LAST 3 NUMBERS): _____ STATE: _____

SOCIAL SECURITY (LAST 3 NUMBERS): _____

COUNTY(IES) TO FILE ABSTRACT(S) IN: _____

IF REQUESTING WRIT OF POSSESSION:

PREMISES DESCRIBED AS AND LOCATED AT: _____

SIGNED _____

DATE ____/____/____

PLAINTIFF/DEFENDANT, LANDLORD, AUTHORIZED AGENT,
ATTY -BAR # _____

ADDRESS _____

PHONE (____) _____

PLEASE MARK ONE BELOW:

- PLEASE MAIL ABSTRACT(S) TO ABOVE ADDRESS
- PLEASE CALL AT ABOVE PHONE NUMBER WHEN ABSTRACT(S) IS AVAILABLE TO PICKUP

JUSTICE COURT CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY): _____

STYLED _____ **vs** _____

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 services 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.

1. Contact Information for person completing case Information sheet	2. Names of parties in Case:										
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Name</td> <td style="width: 50%; border-bottom: 1px solid black;">Telephone</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Address:</td> <td style="border-bottom: 1px solid black;">Fax</td> </tr> <tr> <td style="border-bottom: 1px solid black;">City/State/Zip</td> <td style="border-bottom: 1px solid black;">State Bar No.</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Email:</td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature:</td> <td></td> </tr> </table>	Name	Telephone	Address:	Fax	City/State/Zip	State Bar No.	Email:		Signature:		<p>Plaintiff(s):</p> <p>_____</p> <p>_____</p> <p>Defendant(s):</p> <p>_____</p> <p>_____</p> <p>_____</p> <p style="text-align: center;">{Attach additional page as necessary to list all parties}</p>
Name	Telephone										
Address:	Fax										
City/State/Zip	State Bar No.										
Email:											
Signature:											

3. Indicate case type, or identify the most important issue in the case (select only 1):	
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<input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector 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"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord or against a client. 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"/> Repair and Remedy: 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"/> Small Claims: 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.