

NO. _____

_____ Plaintiff	X	IN THE JUSTICE COURT
VS.	X	PRECINCT FOUR
_____, Defendant	X	COMAL COUNTY, TEXAS

Name of owner/lien holder (if any): _____
 Address: _____
 (Complete only if owner/lien holder is different from the person you want to evict.)

PLAINTIFF'S COMPLAINT FOR EVICTION AND SUIT FOR RENT

TO THE HONORABLE JUSTICE OF THE PEACE:

NOW COMES _____, herein referred to as Plaintiff, and files this complaint against _____, Defendant and all occupants of the premises described herein and respectfully shows the Court the following:

1. Plaintiff does business in Comal County, Texas, and Defendant resides in said Justice Precinct, Comal County, Texas, and may be served with process at the leased premises in Justice Precinct 4, which is:

 _____;

or at Defendant's work address:

 _____;

or at such other place as the Defendant may be found.

Plaintiff knows of no other home or work address of the Defendant in Comal County, Texas. Service is requested on Defendant by personal service at home or work or by alternate service under Rule 742 or Rule 742a.

2. The leased premises are located within Justice Precinct 4, Comal County, Texas.
3. Plaintiff entered into an agreement with Defendant for occupancy of the leased premises. Defendant has violated the terms of the agreement by (check applicable paragraph):

_____ Default in paying rent under the agreement for _____ months.
 Plaintiff made written demand of the Defendant for possession of the Leased Premises on the _____ day of _____, 20__.

_____ Breach of the terms and conditions of the agreement by:

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

4. Plaintiff is entitled to, and seeks possession of, the leased premises after having made written demand of the Defendant for the return of same, and Defendant is still in possession of the leased premises.
5. 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 requests 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 it is entitled to recover including rent, interest, attorney's fees and costs, and for such other relief as Plaintiff may show entitlement.

PLAINTIFF

Plaintiff's Address

Plaintiff's Phone Number

BY: _____
PLAINTIFF'S AGENT

SWORN TO AND SUBSCRIBED before me on this _____ day of _____, 20__.

NOTARY PUBLIC, STATE OF TEXAS, OR
CLERK OF THE JUSTICE COURT

NON-MILITARY AFFIDAVIT

PLAINTIFF BEING DULY SWORN ON HIS OATH DEPOSES AND SAYS UNDER PENALTY OF PERJURY THAT DEFENDANT(S) WAS NOT, EITHER AT THE TIME OF THE INSTITUTION OF THIS SUIT, OR AT ANY TIME SINCE, BEEN A MEMBER OF ANY MILITARY OR NAVAL SERVICE IN THE UNITED STATES OF AMERICA INsofar AS IS NOW OR CAN BE DETERMINED BY AFFIANT.

PLAINTIFF

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
CLERK OF THE JUSTICE COURT (STRIKE THROUGH ONE)

****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.****