

MIDLAND COUNTY JUSTICE COURT

Judge Yadi Billeck
Justice of the Peace Pct. 2
432-688-4722

Judge John W. Barton
Justice of the Peace Pct. 4
432-688-4724

Constable Scott Casbeer
Precinct 2
432-688-4712

Constable Jamie Hall
Precinct 4
432-688-4701



SMALL CLAIMS **PETITION PACKET**

Justice Court clerks are not attorneys and cannot give legal advice.

For questions about your civil case, including court procedures or how to file documents, please contact our office directly:

✉ jp24civil@co.midland.tx.us

If you are representing yourself in a civil case, the Texas Justice Court Training Center offers helpful resources here: <https://www.tjctc.org/srl.html>

Midland County Justice Courts Pct.2 and Pct.4

CAUSE NO. _____

(The Clerk's office will fill in the Cause Number when you file this form)

_____	§	IN THE JUSTICE COURT
Plaintiff	§	
Vs.	§	PRECINCT NO. _____
_____	§	
Defendant (s)	§	MIDLAND COUNTY, TEXAS

PETITION: SMALL CLAIMS CASE

Defendants Contact Information (to extent known):

Name: _____

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

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 Defendant(s) by:

- Personal service at home or work,
- Registered mail,
- Certified mail, return receipt requested.

If required, Plaintiff requests alternative service as allowed by the Justice Court Texas Rules of Civil Procedure. Other addresses where the defendant(s) may be served are:

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

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

Midland County Justice Courts Pct.2 and Pct.4

I hereby consent for the answer and any other motions or pleadings to be sent to my E-mail address.

E-MAIL: _____

Plaintiff states that the total relief requested does not exceed \$20,000, excluding interest and court cost but including attorney's fees.

Plaintiff's Printed Name

Signature of Plaintiff or Plaintiff's Attorney

DEFENDANT(S) INFORMATION (if known):

Address of Plaintiff or Plaintiff's Attorney

DATE OF BIRTH: _____

*LAST 3 NUMBERS OF DRIVER LICENSE: _____

City State Zip

*LAST 3 NUMBERS OF SOCIAL SECURITY: _____

Phone & Fax # of Plaintiff or Plaintiff's Attorney

DEFENDANTS PHONE NUMBER: _____

JUSTICE COURT CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY): _____

STYLED

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

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 service 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:	
Name: _____	Telephone: _____	Plaintiff(s): _____	
Address: _____	Fax: _____	_____	
City/State/Zip: _____	State Bar No: _____	Defendant(s): _____	
Email: _____		_____	
Signature: _____		_____	
		AND ALL OTHER OCCUPANTS [Attach additional page as necessary to list all parties]	
3. Indicate case type, or identify the most important issue in the case (select only 1):			
<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 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 \$20,000, 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 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 \$20,000, 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 \$20,000, 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 \$20,000, excluding statutory interest and court costs but including attorney fees, if any.	

CASE NO. _____

**MILITARY 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 and/or
- Not in a foreign country on military service.
- Is on active military duty and/or is subject to the Service members Civil Relief Act of 2003.
- Military status unknown at this time.

PLAINTIFF SIGNATURE

(Plaintiff Printed Name)

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

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

When filing any Civil Suits this form **MUST** be filled out with proof of military status and accompany the complaint upon filing. Military status can be determined at:

<https://scra.dmdc.osd.mil/scra/#/home>

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.

SERVICE INFORMATION SHEET

PLEASE COMPLETE THIS INFORMATION TO EXPEDITE SERVICE OF YOUR PAPERS.

PLAINTIFF NAME: _____

RESIDENCE: _____

PLACE OF EMPLOYMENT: _____

RESIDENCE PHONE: _____ WORK PHONE: _____

Number at which you can be reached or can leave a message: _____

DAYTIME FAX: _____

EMAIL: _____

DEFENDANT NAME: _____

RESIDENCE: _____

PLACE OF EMPLOYMENT: _____

RESIDENCE PHONE: _____ WORK PHONE: _____

MAIL ADDRESS IF DIFFERENT: _____

TYPE OF RESIDENCE (List gate codes and building #s):

Description of residence and any special direction:

Please attach a photograph of the residence to assist with proper service on the Defendant.