



**JUDGE LINDA SALAZAR**

JUSTICE OF THE PEACE PCT. 2, PL. 1  
835 E. LEVEE ST. BLDG. (2<sup>ND</sup> FLOOR)  
BROWNSVILLE, TX 78520  
TEL (956) 544-0857  
FAX (956) 548-9573

**INFORMATION FOR FORCIBLE EVICTION**

**\*THE RULES OF JUDICIAL ETHICS PROHIBITS THIS OFFICE FROM GIVING LEGAL ADVICE OR HEARING YOUR CASE WITHOUT THE PRESENCE OF THE DEFENDANT OR PLAINTIFF**

If you are processing a forcible eviction of a tenant, you must have a copy of a written notice informing the tenant that they have to move out and pay the total rent owed.

Filing of a **Forcible Eviction** case costs **\$146.00**(to sue a 2<sup>nd</sup> defendant add \$90.00) and it will be added to the Judgment **if you request it**. Once you present your completed Forcible Eviction form and the **\$146.00 to the Justice of the Peace office (if suing 2<sup>nd</sup> defendant add \$90.00)**, your court hearing will be scheduled. Hearings are scheduled 10-21 days from date of filing.

If you win the Judgment, the tenant has to vacate premises as ordered. If the occupant has not moved out the property owner can request a **Writ of Possession** for the amount of **\$207.00** (\$7.00 for the writ and \$200.00 for the service by the constable) at the office of the Justice of the Peace. A Peace Officer will then physically remove the tenant within the time required by law.

If after the Judgment, the tenant has not paid the rent stated in the Judgment, then the property owner can request an **Abstract of Judgment** for **\$7.00**. The Abstract of Judgment is a credit lien on any property that the tenant may buy or sell within the next ten (10) years.

**EXAMPLE OF AN EVICTION LETTER**

To: Name of Tenant and any other occupants  
Address

Our files indicate that you are past due on your rent. You are being notified that you have \_\_\_ days to vacate the premises from the above address or pay the rent of \$\_\_\_\_\_ plus late fees of \$\_\_\_\_\_ with a total amount \$\_\_\_\_\_. If you fail to vacate or pay the total amount of rent due by (date), we will commence the legal action at the office of the Justice of the Peace and any attorney fees or other costs, which we incur, will be added to the total cost of your eviction.

Please contact our office as soon as possible to resolve this delinquency.

Thank you for your attention to this issue.

Sincerely,

Property owner

*\*This is only an example of a letter for past due rent. Re-type it with your letterhead and change any wording that you feel is more comfortable for you.*

If you have any legal questions you may contact, Legal Aid at 1206 E. Van Buren St, Brownsville TX., or by calling (956) 982-5540 or 1-800-369-2651. Or by going online to [Texaslawhelp.org](http://Texaslawhelp.org)

**EVICTON CASE**

CASE NO. (court use only) \_\_\_\_\_

With suit for Rent

COURT DATE: \_\_\_\_\_

In the Justice Court, Precinct 2-1  
Cameron County, Texas

PLAINTIFF \_\_\_\_\_  
(Landlord/Property Name)

Rental Subsidy (if any) \$ \_\_\_\_\_  
Tenant's Portion \$ \_\_\_\_\_  
TOTAL MONTHLY RENT \$ \_\_\_\_\_

VS.  
DEFENDANT(S): \_\_\_\_\_

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  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 \_\_\_\_\_ and delivered by this method: \_\_\_\_\_

6. ATTORNEY'S FEES: Plaintiff w  or will NOT  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: \_\_\_\_\_

\*LAST 3 NUMBERS OF DRIVER LICENSE: \_\_\_\_\_

\*LAST 3 NUMBERS OF SOCIAL SECURITY: \_\_\_\_\_

DEFENDANT'S PHONE NUMBER: \_\_\_\_\_

\_\_\_\_\_  
Address of Plaintiff (Landlord/Property Owner) or Agent

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent

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

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Tenant's Portion \$ \_\_\_\_\_  
TOTAL MONTHLY RENT \$ \_\_\_\_\_

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Petitioner's Printed Name

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Signature of Plaintiff (Landlord/Property Owner) or Agent

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 (Landlord/Property Owner) or Agent

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone & Fax No. of Plaintiff (Landlord/Property Owner) or agent

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

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

\_\_\_\_\_  
VS.  
\_\_\_\_\_

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)

IN THE JUSTICE COURT  
PRECINT 2 PLACE 1  
CAMERON COUNTY, TEXAS

**SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT**

Plaintiff being duly sworn on oath deposes\* and says that defendant(s) is (are)

(CHECK ONE)

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

\_\_\_\_\_  
PLAINTIFF

Subscribed and sworn to before me no this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

- Notary Public in and for the State of Texas

\_\_\_\_\_  
SEAL

**\*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.**