



WHARTON COUNTY PRECINCT # 1, 2, 3, or 4

JUSTICE OF THE PEACE

Justice Court Filing of Precinct 1, 2, 3, or 4:

The filing fee is Forty Six dollars (\$46.00).

In addition, there is a fee for serving the defendant which is Seventy Five Dollars(\$75.00) per defendant to be served in Wharton County, for a total of One Hundred Twenty One dollars(121.00).

\*\*\*Note\*\*\*

*Wharton County Filings:* To find the correct precinct of an address you are filing on within Wharton County; contact the Wharton County Election's office at: 979-532-0193

**Justice Courts, Wharton County Texas**

**Judge Jared Cullar, Pct. 1**

1017 N. Alabama Road  
Wharton, Texas 77488  
Phone (979) 532-3941  
Fax (979) 531-0758

**Judge Glenn P. Russell, Pct. 2**

P.O. Box 780 (736 Clubside Drive)  
East Bernard, Texas 77435  
Phone (979) 335-6210  
Fax (979) 335-6312

**Judge Donna Wessels, Pct. 3**

P.O. Box 184 (340 West North St.)  
Louise, Texas 77455  
Phone (979) 648-2363  
Fax (979) 648-2359

**Judge Tim Drapela, Pct. 4**

605 E. Calhoun St.  
El Campo, Texas 77437  
Phone (979) 543-4322  
Fax (979) 543-1568

NOTICE TO VACATE FOR NONPAYMENT OF RENT;  
DEMAND FOR POSSESSION; AND  
NOTICE OF TERMINATION OF POSSESSION RIGHTS

\_\_\_\_\_, 20\_\_\_\_

To \_\_\_\_\_  
Name of renter and address

That this notice is serviced this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
to \_\_\_\_\_ of \_\_\_\_\_,  
Wharton County, Texas.

To \_\_\_\_\_ and all other occupants  
(renter)  
now in possession of the hereinafter described premises:

You are hereby notified to vacate the premises you now occupy, being  
\_\_\_\_\_, Wharton County, Texas, and  
deliver possession to the undersigned within \_\_\_\_\_ days.

Reason for this note: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Should you fail, neglect, or refuse to vacate said premises \_\_\_\_\_ DAYS from  
service of this notice, I will take such legal action as the law requires to put you off said  
premises. The owner demands immediate possession of the premises identified above as  
soon as possible for failure to pay rent on said property; you are directed to remove all  
your personal property from the premises as soon as possible and return the key to the  
owner.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner address

# JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

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:
<p>Name: _____ Telephone: _____</p> <p>Address: _____ Fax: _____</p> <p>City/State/Zip: _____ State Bar No: _____</p> <p>Email: _____</p> <p>Signature: _____</p>	<p>Plaintiff(s): _____</p> <p>_____</p> <p>Defendant(s): _____</p> <p>_____</p> <p>_____</p> <p>[Attach additional page as necessary to list all parties]</p>

3. Indicate case type, or identify the most important issue in the case (select only 1):	
<p><input type="checkbox"/> <b>Debt Claim:</b> 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, excluding statutory interest and court costs but including attorney fees, if any.</p>	<p><input type="checkbox"/> <b>Eviction:</b> 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.</p>
<p><input type="checkbox"/> <b>Repair and Remedy:</b> 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.</p>	<p><input type="checkbox"/> <b>Small Claims:</b> 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.</p>



This affidavit is required in all civil filings in this Court. You may take this affidavit to any legally qualified notary public or bring it to my office and we will have you swear to the affidavit before the Judge Or Clerk. Failure to submit this affidavit will invalidate your claim.

CASE NO. \_\_\_\_\_

**AFFIDAVIT PLAINTIFF BEING DULY SWORN ON HIS OATH DEPOSES AND SAYS UNDER PENALTY OF PERJURY 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 SERVICEMEMBERS CIVIL RELIEF ACT OF 2003
- MILITARY STATUS IS UNKNOWN AT THIS TIME

PLAINTIFF \_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

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

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.

# CIVIL PROCESS INFORMATION FORM

Name of Defendant: \_\_\_\_\_

Address, City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (Home) \_\_\_\_\_ (Cell)

Drivers License # \_\_\_\_\_ SSN# \_\_\_\_\_

Appx. Height: \_\_\_\_\_ Appx. Weight: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair Color: \_\_\_\_\_

Other Identifying Marks/Features: \_\_\_\_\_

\_\_\_\_\_

Directions to Residence: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Residence Description (Type of residence, color, one or two story): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Vehicle Information:

(1) Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_ Year: \_\_\_\_\_

(2) Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_ Year: \_\_\_\_\_

## Employer Information:

Employer: \_\_\_\_\_

Address, City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Plaintiff Name, Address, Telephone Number: \_\_\_\_\_

\_\_\_\_\_

IN THE JUSTICE COURT  
PRECINCT \_\_\_\_  
WHARTON COUNTY, TEXAS

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF

VS.

\_\_\_\_\_  
DEFENDANT

### PLAINTIFF'S MOTION TO DISMISS

COMES NOW THE PLAINTIFF in the above styled and numbered cause and files this MOTION TO DISMISS the above styled case WITHOUT PREJUDICE, in accordance with RULE 162 of the Texas Rules of Civil Procedure, and cites the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FILED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
PLAINTIFF

### ORDER OF DISMISSAL

Be it therefore ORDERED, ADJUDGED AND DECREED that the PLAINTIFF'S MOTION BE GRANTED. The above styled cause is DISMISSED WITH/WITHOUT PREJUDICE.

SIGNED AND ENTERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
PRESIDING JUDGE/CLERK OF COURT