



**JUDGE CELINA VASQUEZ**  
**JUSTICE OF THE PEACE**  
**BRAZOS COUNTY, PRECINCT 4**  
**300 East 26th Street, Suite 460**  
**Bryan, TX 77803**  
**Office (979) 361-4405 \* Fax (979) 361-4502**

DEBT CLAIM CASES The Rules of Civil Procedure and Rules of Evidence DO NOT APPLY to DEBT CASES unless specifically references in Rules 500-508. For those filing DEBT CLAIM cases, be aware that the 500-507 series of rules can be located at the link listed below. It is essential they be read if you are planning to file a DEBT CLAIM case.

Link to New Rules of Civil Procedure: <http://brazoscountytexas.gov/index.aspx?NID=136>

The makers of the new rules indicated that they were written with specific intent to eliminate "legal trap doors" for pro se litigants. As an example, in a situation where a case is filed as a suit on sworn account, and answer is filed but not verified, the plaintiff can no longer seek a Judgment under Rule 93.

Note also that imbedded omission are no longer allowed and will be stricken, and parties who continue to file petitions with imbedded omissions after being made aware of the changes in the law may face sanctions. All discovery must be approved by the court (SEE rule 500.9).

**Every Civil Suit must include these documents (included in this packet):**

- Sworn Petition for a Debt Claim Lawsuit
- Service Members Civil Relief Affidavit •
- Certificate of Last Known Address Civil Process Additional Information Sheet

**THIS OFFICE MAY NOT GIVE ANY LEGAL ADVICE**

CAUSE NO. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff § IN THE JUSTICE COURT  
VS. § PRECINCT \_\_\_\_ PLACE \_\_\_\_  
\_\_\_\_\_  
Defendant(s) § BRAZOS COUNTY, TEXAS

**SWORN PETITION FOR A DEBT CLAIM LAWSUIT**

I hereby state that I am filing a Debt Claim lawsuit: *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.*

I, PLAINTIFF: \_\_\_\_\_ dba under  
FIRM: \_\_\_\_\_ (individually, partnership, or corporation)  
Whose address is: \_\_\_\_\_ (street, city, ZIP).  
Phone numbers :( home), \_\_\_\_\_ (business), \_\_\_\_\_ (cell) \_\_\_\_\_;

HEREINAFTER called Plaintiff, being duly sworn, on my oath say that:

DEFENDANT: \_\_\_\_\_  
Whose address is: \_\_\_\_\_ (street, city, ZIP).  
Employed by: \_\_\_\_\_ (street, city, ZIP)  
Phone numbers: (home), \_\_\_\_\_ (business), \_\_\_\_\_ (cell) \_\_\_\_\_.

IS JUSTLY INDEBTED TO THE PLAINTIFF IN THE SUM OF: \$ \_\_\_\_\_ . \_\_\_\_ plus Court Costs.

**CREDIT ACCOUNTS:** Account Name or Credit Card Name: \_\_\_\_\_ Account No. \_\_\_\_\_

Date of Issue or Origination of Account: \_\_\_\_\_ Date of Charge-off or Breach of Account: \_\_\_\_\_

**PERSONAL/BUSINESS LOAN:** Date & Original Loan Amount: \_\_\_\_\_ Repayment Accelerated: \_\_\_\_\_

Final payment of \$ \_\_\_\_\_ Due Date: \_\_\_\_\_ Effective Interest Rate: \_\_\_\_\_ %

**ASSIGNED DEBT:** Debt Claim Assigned or Transferred To: \_\_\_\_\_ Date: \_\_\_\_\_

Amount Owed as of Certain Date: \_\_\_\_\_ Ongoing Interest: YES or NO. Amount: \_\_\_\_\_

**SERVICE OF CITATION:** Service is requested on Defendant(s) by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other service of papers address/addresses (if knows) are:

**REQUEST FOR JUDGMENT:** Plaintiff prays that Defendant(s) be served with citation and that Plaintiff have judgment against Defendant(s) for: the amount or items above, attorney's fees, court costs, and interest on the above sums at the statutory rate for judgments.  I consent for the answer and any other motions or pleadings to be sent to my email address which is: \_\_\_\_\_

Date signed: \_\_\_\_\_  
**DEFENDANT(S) INFORMATION** (if known):  
DATE OF BIRTH: \_\_\_\_\_  
\*LAST 3 NUMBERS OF DRIVER LICENSE: \_\_\_\_\_  
\*LAST 3 NUMBERS OF SOCIAL SECURITY: \_\_\_\_\_  
DEFENDANT'S PHONE NUMBER: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff's Signature

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

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

\_\_\_\_\_  
Plaintiff(s)

VS

0  
0  
0  
0  
0

JUSTICE COURT

PRECINCT 4

BRAZOS COUNTY, TEXAS

\_\_\_\_\_  
Defendant(s)

**MILITARY STATUS AFFIDAVIT**

Plaintiff, or Plaintiffs representative, being duly sworn on oath deposes and says that, to the best of my knowledge,  
Defendant(s)

\_\_\_\_\_ is not in the military

\_\_\_\_\_ is not on active duty in the military

\_\_\_\_\_ is not in a foreign country on military service

\_\_\_\_\_ is on active duty and/or is subject to the Service Members Civil Relief Act of 2003

\_\_\_\_\_ has waived his rights under the Service Members Civil Relief Act of 2003

\_\_\_\_\_ Military status is unknown at this time

\_\_\_\_\_  
Plaintiff / Representative

SIGNED AND SWORN TO before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE COURT

Department of Defense Service Members Civil Relief Act Website: <https://www.dmdc.osd.mil/appj/scra/>

**Penalty for making or using a 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**

Cause \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

Vs

\_\_\_\_\_  
Defendant

In the Justice Court

Precinct Four

Brazos County, Texas

Certificate of Last Known Mailing Address

The undersigned, \_\_\_\_\_, does hereby certify that the last known address of Defendant, \_\_\_\_\_, is as follows:

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

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Notary Public



# Isaac Butler Jr.

## Brazos County Constable Pct 4



Civil Process Additional Information	Cause #
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In order to expedite service and for the safety of our Deputies, we ask that you answer the following questions to the best of your ability.

1. Have you witnessed any "abnormal" behavior?
2. Have you known, or known of, the Respondent being violent with anyone?
3. Have you been verbally or physically assaulted by the Respondent?
4. Known of an occasion where the Respondent has, or brandishes a weapon of any kind? (Please note if the weapon was a firearm, knife, or club or some other weapon.)
5. Does respondent have any dogs known to be aggressive?
6. Are you aware of any mental or emotional issues that the Respondent may have?
7. Are you aware of any police related calls regarding the Respondent?
8. Are there any other issues you think might be important for the Deputies to know?