

Cause Number: J5-CV-

*The cause # will be assigned by the Court.*

**APPLICATION FOR WRIT OF RETRIEVAL  
IN THE JUSTICE COURT, PCT. 5, TRAVIS COUNTY, TEXAS**

*(TEXAS PROPERTY CODE CHAPTER 24A)*

*If a person is unable to enter the person's residence or former residence to retrieve personal property belonging to the person or the person's dependent because the current occupant is denying the person entry, the person may apply for a writ authorizing the person to enter the residence accompanied by a peace officer to retrieve specific items of personal property.*

*Note: If the applicant and the current occupant are parties to a pending suit under Title 1, Family Code, the application must be filed in the court in which the suit is pending. If the applicant's right to possession of the items described in the application is subject to a decree of divorce or annulment to which the applicant and the current occupant are parties, the application must be filed in the court having jurisdiction of the divorce or annulment action.*

*\* The Justice of the Peace and the court clerks are prohibited by law from giving legal advice. This information is not intended to constitute legal advice or to take the place of an attorney. Applicants should consult the Texas Property Code Chapter 24A for complete information or consult an attorney.*

**TO THE HONORABLE COURT:**

The undersigned Applicant makes this Application for a Writ of Retrieval of personal property found at the following location, which is a residence in which Applicant is, or was previously, authorized to occupy ("Residence"):

**LOCATION OF RESIDENCE:**

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

**APPLICANT'S NAME:** \_\_\_\_\_

**NAME(S) AND AGE(S) OF APPLICANT'S MINOR DEPENDENT(S):**

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

**CURRENT OCCUPANT OF THE RESIDENCE IS:** \_\_\_\_\_

who is currently occupying the Residence and may be given notice of this Application at the above-listed Residence or at the following address(es) ***(Failure to provide up-to-date contact information for the current occupant may delay a hearing on the application for writ of retrieval)***:

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

***Additional Address(s) where the current occupant may be found:***

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**The Applicant hereby certifies that:**

1. Applicant is unable to enter the residence because the current occupant of the residence has **(check all that apply):**

denied the Applicant access to the residence by (describe exclusion):

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**OR**

poses a clear and present danger of family violence to the applicant or the applicant's dependent(s)

**The Applicant also certifies that ALL the following statements are TRUE:**

*(If you cannot certify ALL the following statements are TRUE, you may not be eligible to apply for Writ of Retrieval with the Justice of the Peace, Pct. 5. The Justice of the Peace and the court clerks are prohibited by law from giving legal advice. If you are unsure and/or need legal advice, please consult the Texas Property Code Chapter 24A for complete information or consult an attorney.)*

2. To the best of the Applicant's knowledge:
- a. The applicant and the current occupant are **NOT** parties to a pending suit under Title 1, Family Code.
  - b. The applicant's right to possession of the items described in the application is **NOT** subject to a decree of divorce or annulment to which the applicant and the current occupant are parties.
  - c. The Applicant is **NOT** the subject of an active protective order under Title 4, Family Code, a magistrate's order for emergency protection under Article 17.292, Code of Criminal Procedure, or another court order prohibiting entry to the residence; or
  - d. The Applicant is **NOT** otherwise prohibited by law from entering the residence.
3. Applicant is currently or was formerly authorized to occupy the residence based on the following document(s), such as a lease **(you must also attach a copy to this application):**

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4. The Applicant or the Applicant's minor dependent(s) requires the following personal items located in the residence and will suffer personal harm if the items listed below are not retrieved promptly. **(Specifically describe and give an estimated value where requested of the items in the list the Applicant needs to retrieve):**

a. Medical record(s):

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b. Medicine and medical supplies:

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c. Clothing, with estimated value:

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d. Child care items, with estimated value:

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e. Legal or financial documents:

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f. Checks or bank or credit cards in the name of the Applicant:

- g. Employment records: \_\_\_\_\_
- h. Personal identification documents: \_\_\_\_\_
- i. Copies of electronic records containing legal or financial documents: \_\_\_\_\_
- j. Assistance animals or service animals, as defined by Section 121.002, Human Resources Code, used by the applicant or the applicant's dependent: \_\_\_\_\_
- k. Wireless communication devices, as defined by Section 545.425(a), Transportation Code, of the applicant or the applicant's dependent, with estimated value: \_\_\_\_\_
- l. Tools, equipment, books, and apparatus used by the applicant in the applicant's trade or profession, with estimated value: \_\_\_\_\_
- m. Applicant's Personal Computer, with estimated value: \_\_\_\_\_

**APPLICANT:**

**Declaration: I declare under penalty of perjury that everything in this verification is true and correct.**

My name is: \_\_\_\_\_  
*First Middle Last*

My birthdate is: \_\_\_\_\_  
*Month Day Year*

My address is: \_\_\_\_\_  
*Street Address & Unit No. (if any) City State ZIP*

**Signed on** \_\_\_\_\_ in \_\_\_\_\_ County, Texas.  
*Month Day Year*

\_\_\_\_\_  
**Applicant's Signature**