

Cause No. _____

IN THE JUSTICE COURT, PRECINCT THREE, COUNTY OF TRAVIS, TEXAS

Plaintiff(s) vs. _____
Defendant(s)

AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)

Before me the undersigned notary or clerk of the Justice Court, on this day personally appeared the undersigned affiant whose identity is known to me. After I administered an oath to such affiant, he or she upon oath and under penalty of perjury (fine and/or up to one year in jail), stated the following:

My name is (*please print*) _____, I am (*check one*) the Plaintiff or an authorized agent of the Plaintiff in the case described at the top of this page. I am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and I am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

(*check or fill in as applicable*)

1. No Defendant in this case is on active duty in the U.S. military (Army, Navy, Air Force, Marines, Coast Guard or National Guard). The facts on which I base my conclusion are as follows: _____

2. Defendant (*insert name(s)*) _____
_____ is on active duty in the U.S. military.

3. The Defendant named in paragraph 2 above has or has not been deployed by the U.S. military to a foreign country or been given orders for change of permanent duty station.

4. Plaintiff and the undersigned (if the undersigned is acting agent of Plaintiff) are not able to determine whether any Defendant is with the U.S. military.

5. Plaintiff and the undersigned (if the undersigned is acting as an agent of Plaintiff) are not able to determine whether any Defendant who is in the U.S. military has been deployed to a foreign country or been given orders for change of permanent duty station.

6. Defendant [*insert name(s)*] _____
has signed, while on active duty, a separate written waiver or a written lease containing a waiver of his or her rights under the U.S. Service Members Civil Relief Act of 2003.

Signature of affiant

SWORN TO and SUBSCRIBED before me on this _____ day of _____, 20____.

(*check one*)
 Notary Public in and for the State of Texas or
 Clerk of the Justice Court