

Case No. _____
In the Justice Court, Precinct 3, County of Lubbock, Texas
_____ vs. _____

STATE OF TEXAS
COUNTY OF LUBBOCK

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 above.

I am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

[CHECK BOX THAT APPLIES TO DEFENDANT]

☐ 1. Defendant(s) in this case is **not** 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 name in paragraph 2 above ☐ has or ☐ has not been deployed by the U.S. military or 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 by _____ on ____ day of _____,
201__ .

[check one]

- ☐ Notary of Public for the State of Texas or
☐ Clerk of the Justice Court