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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_§ IN THE JUSTICE COURT

APPLICANT §

 § PRECINCT NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 §

 § \_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS

# DENIAL OF APPLICATION FOR WRIT OF RETRIEVAL

**WHEREAS,** Applicant has made his/her Application for a Writ of Retrieval regarding the following location (“Residence”): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_; and

**WHEREAS,** the Court finds that (select all that apply):

* Occupant of the Residence has not either denied the Applicant access to the Residence to retrieve the Applicant’s personal property or the personal property of the Applicant’s dependent(s) or posed a clear and present danger of family violence to the Applicant or the Applicant’s dependent(s);
* The Applicant is 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 otherwise prohibited by law from entering into the Residence;
* There is no risk of personal harm to the Applicant or the Applicant’s dependent(s) if the items listed in the Applicationare not retrieved promptly;
* The Applicant is not currently or formerly authorized to occupy the Residence according to a lease or other documentary evidence acceptable to the Court;
* The Occupant did not receive notice of the Application or was not provided an opportunity to appear before the Court to contest the Application; or
* The Applicant failed to post an acceptable bond with the Court in such form and amount as approved by the Judge.

**THEREFORE, IT IS ORDERED** that the Application for Writ of Retrieval for the items of personal property listed by Applicant filed with this Court is hereby **DENIED**.

**SIGNED** this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ JUSTICE OF THE PEACE, PRECINCT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TX