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

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

Plaintiff §

§

v. § PRECINCT \_\_\_\_

§

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ §

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

**DEFAULT JUDGMENT AFTER HEARING: DEBT CLAIM CASE**

Defendant was served with citation to appear and answer on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, and the answer in this case was due on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_. By that date, and by the time of the signing of this judgment, Defendant failed to file an answer or other response with the court. The court has reviewed the file and makes the following findings:

* Plaintiff has failed to prove its damages after requesting a default judgment hearing; therefore, pursuant to Rule 508.3(c), the court renders judgment in favor of Defendant and it is accordingly **ORDERED** that Plaintiff take nothing.
* Plaintiff failed to comply with the requirements for the court to grant a default judgment other than failing to prove damages, therefore the request for default judgment is **DENIED** and this case remains on the court’s docket.

**OR:**

* Plaintiff requested a default judgment hearing at which Plaintiff appeared, in person or by telephonic or electronic means, and:
  + There is proof of proper service of the citation and a copy of the petition on Defendant.
  + The return of service was on file at least three days before this judgment *(excluding the day on which the return was made and the day of this judgment)*.
  + Plaintiff filed an affidavit in compliance with the Servicemember’s Civil Relief Act.
  + Plaintiff provided to the clerk of the court in writing the last known mailing address of the defendant.
  + Plaintiff established the amount of damages by evidence:
    - That the account or loan was issued to Defendant and Defendant is obligated to pay it; and
    - That the account was closed or Defendant breached the terms of the account or loan agreement; and
    - Of the amount due on the account or loan as of a date certain after all payment credits and offsets have been applied; and
    - That Plaintiff owns the account or loan and how Plaintiff acquired the account or loan (if applicable).

Therefore, pursuant to Rule 508.3(c), the court enters a default judgment following a hearing and it is accordingly **ORDERED** that Plaintiff recover of Defendant:

* + the sum of $ \_\_\_\_\_\_\_\_\_\_\_\_\_ ,
  + with interest thereon at the rate of \_\_\_\_\_\_\_\_ % compounded annually,

and court costs of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**You may appeal this judgment by filing a bond, making a cash deposit, or filing a Statement of Inability to Afford Payment of Court Costs within 21 days after this judgment was signed. *See Texas Rule of Civil Procedure 506.***

***Important Notice***

If you are an individual (not a company), your money or property may be protected from being taken to pay this judgment. Find out more by visiting [www.texaslawhelp.org/exempt-property](http://www.texaslawhelp.org/exempt-property).

***El Aviso Importante***

Si usted es una persona física (y no una compañía), su dinero o propiedad pudieran estar protegidos de ser embargados como pago de esta deuda decretada en juicio en contra suya. Obtenga mayor información visitando el sitio [www.texaslawhelp.org/exempt-property](http://www.texaslawhelp.org/exempt-property).

**ISSUED AND SIGNED** on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_**.**

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

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

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