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

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

Plaintiff §

§

v. § PRECINCT NO. \_\_\_\_

§

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

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

**DEFAULT JUDGMENT WITHOUT HEARING:**

**SMALL CLAIMS CASE based on written document**

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:

* 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 court in writing the last known mailing address of Defendant.
* Plaintiff’s claim is based on a written document signed by Defendant, and a copy of the document has been filed with the court and served on Defendant, along with a sworn statement from Plaintiff that this is a true and accurate copy of the document and the relief sought is owed, and all payments, offsets or credits due to Defendant have been accounted for; therefore, pursuant to Rule 503.1(a)(1), the court enters a default judgment without 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 $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**OR**

* Plaintiff has failed to prove its damages in accordance with the requirements listed above; therefore, the court cannot enter a default judgment at this time.

**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