

_____ **Plaintiff**

In the Justice Court

vs

Precinct Two, Place One

_____ **Defendant**

Nueces County, Texas

Docket No. _____ **-JP2-1**

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 right 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 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 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. Servicemembers Civil Relief Act of 2003.

Signature of Affiant

Sworn and subscribed before me on this the _____ day of _____, 20_____.

Notary Public/ Clerk of the Justice Court