

NO. _____

_____,
Plaintiff,

v.

_____,
Defendant.

§ **JUSTICE OF THE PEACE COURT**
§
§
§ **PRECINCT NO. _____, PLC. _____**
§
§
§ **EL PASO COUNTY, TEXAS**

PLAINTIFF'S PETITION FOR EX PARTE WRIT OF RE-ENTRY
UNDER TEXAS PROPERTY CODE §92.009

TO THE HONORABLE JUDGE OF THIS COURT:

Plaintiff, _____ (name), files this sworn petition against _____ (Defendant's name), Defendant, and respectfully shows that Court the following:

1. Plaintiff reside at _____ (street address), in the City of _____(city), Texas, _____ (zip code), located within Justice Precinct ____, Place ____ of El Paso County, Texas.

2. Per Tex. Prop. Code §92.003, Defendant may be served at _____ (Defendant's home or work address), or _____ (Defendant's property management company's address), or _____ (Defendant's on-site property manager's address or rent collector's address). Plaintiff requests that citation be issued and Defendant be personally served at the address listed in this paragraph. If necessary, alternative service is requested under Tex. R. Civ. P. 742a.

3. The events described in this petition took place within the jurisdiction of this Justice Court precinct.

FACTS

4. Plaintiff, as tenant, on or about the _____ (date of rental agreement), leased the above described premises from Defendant, as landlord. The lease is _____ (oral / written). The lease is currently in effect.

5. On or about the the _____ (date of lock-out), Defendant locked out Plaintiff from the above rented property. Plaintiff demanded a key or access to the premises but Defendant has refused to provide access to the property to Plaintiff in violation of §92.0081 of the Texas Property Code.

OTHER FACTS

6. The Court should also be aware of the following:

CAUSE OF ACTION

Violation of Texas Property Code §92.0081

7. Defendant violated §92.0081 of the Texas Property Code by unlawfully locking Plaintiff out of Plaintiff's rental unit.

8. Plaintiff requests that the Court issue an Ex Parte Writ of Re-Entry that entitles Plaintiff to immediate possession of the rental property as permitted by section 92.009(c) of the Texas Property Code.

REQUEST FOR RELIEF

13. Plaintiff requests that the Court find Defendant liable and grant Plaintiff the following relief from Defendant:

- a. an Ex Parte Writ of Re-entry under Texas Property Code 92.009(c) directed to Defendant;
- b. that said Writ of Re-entry be served on Defendant in accordance with law;
- c. that Defendant be prohibited from interfering with Plaintiff's peaceful possession of the premises;
- d. that all court costs be assessed against Defendant;
- e. and for such other relief as Plaintiff may be lawfully entitled until such time proper notice and hearing is held before this Court.

Respectfully Submitted,

Signature

Printed Name

Address

Phone Number (Daytime)

UNSWORN DECLARATION UNDER
§132.001 OF THE TEXAS CIVIL PRACTICE AND REMEDIES CODE

My name is _____, my date of birth is _____,
(First) (Middle) (Last)
and my address is _____, _____, _____, _____,
(Street) (City) (State) (Zip Code)
_____. I declare under penalty of perjury that the foregoing is true and correct.
(Country)

Executed in _____ County, State of Texas, on _____, _____,
(County) (Month) (Date)
20_____.
(Year)

DECLARANT