

In the Justice Court, Precinct \_\_\_\_\_, Place \_\_\_\_\_, County of \_\_\_\_\_, Texas

\_\_\_\_\_ vs. \_\_\_\_\_

**AFFIDAVIT OF MILITARY STATUS OF DEFENDANT(S)**

Before me the undersigned notary or clerk of the Justice Court, on this day personally appeared the bellow named 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 said that affiant has read the affidavit; and that every statement contained in this affidavit is within affiant's personal knowledge and is true and correct.

My name is [please print] \_\_\_\_\_

I am the plaintiff or an authorized agent of the plaintiff in the case described above. I am capable of making this affidavit.

- 1. No defendant in this case is on active duty in the U.S. military (Army, Navy, Air Force, Marines, or Coast Guard).
- 2. Defendant [insert name(s)] \_\_\_\_\_ is on active duty in the U.S. military.
- 3. Defendant [insert name(s)] \_\_\_\_\_ has been deployed by the U.S. Military to a foreign country.
- 4. The undersigned is not able to determine whether any defendant is with the U.S. military except for any defendant named in paragraph 2 above.
- 5. The undersigned is 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 except for any defendant named in paragraph 3 above.
- 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.

The facts on which I base my conclusion are as follows:

I have...

- made a personal investigation of records of the United States Military
- personal knowledge that Defendant is not in the military and is not a dependent of a service member on active duty
- reasearched the following military internet site \_\_\_\_\_ to determine whether Defendant is in the military.
- researched whether Defendant is in the military from the following source: \_\_\_\_\_

\_\_\_\_\_  
Signature of Affiant

SWORN TO and SUBSCRIBED before me by \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public for State of Texas or Clerk of the Justice Court