

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