

CASE NO. _____

Plaintiff: _____

§

IN THE JUSTICE COURT

Vs.

§

PRECINCT TWO

§

COUNTY OF MCLENNAN, TEXAS

Defendant(s)

State of Texas County of McLennan

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 tone year in jail), stated the following:

My name is [*(Plaintiff) 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, or Coast 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. Defendant **[insert name (s)]** _____ has been deployed by the U.S. military to a foreign country.

4. Plaintiff and the undersigned (if the undersigned is acting as an agent of plaintiff) are not able to determine whether any defendant is with the U.S. Military-except for any defendant named in paragraph 2 above.

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-except for any defendant named in paragraph 3 above.

6. Defendant **[insert name (s)]** _____ has signed, while on active duty, a separate, limited written waiver or a lease containing a limited waiver of his or her rights under the U.S. Service members Civil Relief Act of 2003.

Signature of Affiant (Plaintiff)

SWORN TO and SUBSCRIBED before me by _____
_____ on the _____ of _____, 20_____.

Notary Public or Clerk of the Justice Court

Penalty for making or using false affidavit- a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in Title 18, United States Code, or imprisoned for not more than one year or both.

<https://scra.dmdc.osd.mil/scra/#/single-record>