

Cause No. \_\_\_\_\_

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

vs.

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Plaintiff(s)

Defendant(s)

### 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 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:

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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 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 written waiver or a written lease containing a waiver of his or her rights under the U.S. Servicemembers Civil Relief Act of 2003.

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Signature of affiant

SWORN TO and SUBSCRIBED before me by \_\_\_\_\_ on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_.

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*(check one)*

- Notary Public for the State of Texas or
- Clerk of the Justice Court