

NON MILITARY AFFIDAVIT

CAUSE NO. _____

IN THE JUSTICE COURT

VS.

PRECINCT NO. FOUR

ANGELINA COUNTY, TEXAS

NONMILITARY AFFIDAVIT

BEFORE ME, the undersigned authority, on this day personally appeared

_____, known to me to be a credible person and

Who after being by me first duly sworn on oath deposes and says that the following facts are true:

"I am over the age of 18 and competent to make this affidavit. I have knowledge and upon information and belief, that the Respondent was not in military service when this suit was filed, has not been in military service at any time since then, and is not now in any military service of the United States of America.

Further affiant sayeth not."

Signature: _____

Printed Name: _____

Address: _____

City: _____, State _____ Zip Code

Telephone Number _____

SWORN TO BEFORE ME this _____ day of _____, 20_____.

NOTARY PUBLIC

NOTICE

The Soldiers' and Sailors' Civil Relief Act of 1940 and renamed Service members Civil Relief Act as codified at 50 U.S.C. App. et. seq. and recently amended and passed by the 108th Congress last year requires that in any civil case in which the defendant does not make an appearance, and before entering judgment for the plaintiff, the court must require the plaintiff to file an affidavit that:

(a) States whether or not the defendant is on active duty in military services and show necessary facts to support the affidavit; or

(b) If the plaintiff is unable to determine whether or not the defendant is on active duty in military services, states that the plaintiff is unable to determine whether or not the defendant is in military services.

Only if the affidavits establish that the plaintiff is not an active service member, can the court proceed with a default judgment in the normal fashion.

NOTICE: The nonmilitary affidavit must be filed at the time of filing of all evictions and civil suits.