**CAUSE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ § IN THE JUSTICE COURT

Plaintiff §

 §

v. § PRECINCT NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 §

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ §

Defendant § \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS

**DEFAULT JUDGMENT (Small claims)**

The Defendant was served with citation to appear and answer on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, and answer in this cause was due on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_. By that date, and by the time of the signing of this order, the Defendant failed to make an answer. Plaintiff requested a default judgment hearing. The court heard argument from the Plaintiff and reviewed the court file and makes the following findings:

1. The return of service was on file for 3 days prior to this hearing;
2. Plaintiff filed an affidavit in compliance with the Servicemember’s Civil Relief Act, 50 U.S.C., App. §502;
3. Plaintiff provided to the clerk in writing the last known mailing address of the defendant; and
4. Based on the evidence heard by the court:

* The Plaintiff proved damages by the Defendant in the sum of $ \_\_\_\_\_\_\_\_\_\_\_\_\_ \_ ; it is therefore

**ORDERED** that Plaintiff recover from Defendant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the sum of $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, with interest at the rate of \_\_\_\_\_\_% compounded annually, together with costs in the amount of $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

* The Plaintiff failed to prove damages by the Defendant; it is therefore

**ORDERED** that Plaintiff take nothing.

**ISSUED AND SIGNED** this the \_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 JUSTICE OF THE PEACE, PRECINCT \_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS