



# JUDGE MIKE OGLESBY

Justice of the Peace, Pct. 5



## Debt Claim Cases

“The information contained herein is not exhaustive and is not intended to be legal advice.”

### Justice Court Civil Cases

#### “I Just Want to Talk to the Judge.....”

*The Code of Judicial Conduct prohibits the Judge from engaging in communication concerning the merits of a pending case or one that may be filed in the future.*

*Most people understand this when they consider how they would feel about the judge discussing their case with the other party without their knowledge or consent.*

#### “But Your Clerk Said.....”

*The Code also prohibits a Judge or Court Staff from giving legal advice.*

#### “Do I need a Lawyer?”

*Legal representation is not required. Legal representation may be desired to safeguard your rights and interests.*

**PETITION FOR DEBT CLAIM CASE**

Case No.: \_\_\_\_\_

Plaintiff(s): \_\_\_\_\_

Agent or Attorney: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

**VS.**

Defendant(s): \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_

County: \_\_\_\_\_

**IN THE JUSTICE COURT**

**PRECINCT Five**

**DENTON COUNTY, TEXAS**

**Defendant(s) information** *(if known):*

Date of Birth: \_\_\_\_\_

DL (last 3 numbers) \_\_\_\_\_

Social Security (Last 3 numbers) \_\_\_\_\_

**COMPLAINT:** The basis for the claim which entitles the plaintiff to seek relief against the defendant is: \_\_\_\_\_

**RELIEF:** Plaintiff seeks damages in the amount of \$ \_\_\_\_\_ *(DO NOT INCLUDE COURT COSTS)*

**SERVICE OF CITATION:** Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Rules of Practice in Justice Courts. Other addresses where the defendant (s) may be served are: \_\_\_\_\_

**CASE BASED ON CREDIT CARD, REVOLVING ACCOUNT, OR OPEN ACCOUNT:**

Account/Credit Card Name: \_\_\_\_\_ Account Number (may be masked): \_\_\_\_\_

Date of Issue/Origination: \_\_\_\_\_ Date of Charge-Off/Breach: \_\_\_\_\_ Amount Owed \$ \_\_\_\_\_ as of \_\_\_\_\_

**CASE BASED ON PROMISSORY NOTE OR OTHER PROMISE TO PAY PERSONAL OR BUSINESS LOAN:**

Date/Amount of Original Loan: \_\_\_\_\_ \$ \_\_\_\_\_ Repayment Accelerated? \_\_\_\_\_ Date Final Payment Due: \_\_\_\_\_

Amount Due on Final Payment Date \$ \_\_\_\_\_ Amount Due \$ \_\_\_\_\_ as of \_\_\_\_\_

**ONGOING INTEREST:**

Plaintiff  does, or  does not seek ongoing interest.

If so, this interest is based on the following contractual/statutory reason: \_\_\_\_\_

and should be at \_\_\_\_\_ % \$ \_\_\_\_\_ of interest was due as of \_\_\_\_\_

**ASSIGNMENT OF CLAIM:**

Plaintiff  was, or  was not assigned or otherwise transferred this claim. If so, the original claimant/creditor was \_\_\_\_\_ subsequent holders were \_\_\_\_\_

and the date case was assigned/transferred to plaintiff \_\_\_\_\_

Attorney's name, address, phone and fax: \_\_\_\_\_

I consent for the answer and any other motions or pleadings to be sent to my email address: \_\_\_\_\_

\_\_\_\_\_  
*Plaintiff / Attorney Name Printed*

\_\_\_\_\_  
*Plaintiff / Attorney Signature*

\_\_\_\_\_  
*Date*

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

\_\_\_\_\_  
Plaintiff  
vs.

**IN THE JUSTICE COURT**  
**PRECINCT Five**  
**DENTON COUNTY, TEXAS**

\_\_\_\_\_  
Defendant

**SERVICEMEMBERS CIVIL RELIEF ACT AFFIDAVIT**

**STATE OF TEXAS**  
**COUNTY OF DENTON**

**BEFORE ME, the undersigned authority personally appeared the below-named affiant, who upon oath deposed and stated:**

I am over the age of eighteen (18) and am competent to make this affidavit. I am the  
 Plaintiff  
 Plaintiff's agent  
in the above-entitled and numbered matter.

I have  
 made a personal investigation  
 personally reviewed the business records of the Plaintiff

As a result of the investigation or review, it is my belief that the above-named defendant  
 is not in the military service on active duty, and is not a dependent of a service member on active duty  
 is in the military service on active duty  
 I have been unable to determine whether or not the defendant is in the military service on active duty

I understand that any false statements in this document are made under penalty of perjury, and that making a false statement is a violation of Federal Law and is subject to both fine and imprisonment.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Affiant

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Clerk of the Court  
 Notary Public