

CAUSE NO. _____

_____,
Plaintiff(s),

vs.

_____,
Defendant(s).

§
§
§
§
§
§
§
§
§

IN THE JUSTICE COURT

PRECINCT 2

KAUFMAN COUNTY, TEXAS

MOTION FOR DEFAULT JUDGMENT

1. **Parties.** Movant, i.e., the party bringing this motion is _____,
("Plaintiff"), who moves the Court to enter a default judgment against

("Defendant(s)") pursuant to Rule 503 of the Texas Rules of Civil Procedure.

2. **Grounds.** Movant is entitled to be granted a default judgment against the opposing party,
and as grounds to justify the same, shows the Court the following:

a. On (date) _____, 20____, Plaintiff filed a petition with claims for:

a. _____

b. _____

c. _____

d. _____

b. Service was executed by _____ on (date) _____,
20____, at __:____ AM/PM.

c. Return of service has been on file for more than ten (10) days.

- d. Although the Defendant(s) were duly served with process/notification of the claim against it, the Defendant(s) failed to appear and/or answer. Consequently, the Defendant(s) have wholly defaulted.
- e. The date of filing this motion is (date) _____, 20 ____.
- f. Therefore, the Movant is entitled to judgment as a matter of law under Rule 503 of the Texas Rules of Civil Procedure.
- g. Damages include (check all that apply):
 - Actual damages totaling \$ _____.
 - Statutory penalties of \$ _____ for _____.
 - Trebled damages as required under the Texas Deceptive Trade Practices Act
 - Punitive damages
 - Court costs,
 - Reasonable attorney's fees
 - Other: _____

3. **Attachments.** Movant has attached the following documents to this motion

(check all that apply):

- Certificate of Last Known Mailing Address for each Defendant
- Military Status Affidavit for each individual Defendant
- Attorney's Fees Affidavit
- Other: _____
- Other: _____

4. **Prayer.** Movant prays that the Court enter a default judgment in Movant's favor against the Defendants, _____, for the following relief:

- _____
- _____
- _____
- _____
- Attorney's fees in the amount of \$ _____ for the current representation;
- Punitive damages in an amount which the court determines sufficient to deter the same or similar actions which gave rise to this lawsuit by the Defendant in the future, not less than \$ _____;
- Post-judgment interest at the highest rate allowed per annum;
- All taxable costs of court, and
- All further relief to which Movant may be entitled, including all writs necessary to facilitate enforcement and collection of the Court's awarded judgment.

Total Requested: \$ _____.

Respectfully submitted,

Signature: _____
Name: _____
Address: _____
Phone: _____
Email: _____ (circle one)

Plaintiff / Defendant **or**
Attorney for Plaintiff **or**
Attorney for Defendant

CERTIFICATE OF SERVICE

This is to certify that on this _____ day of _____, 20____, a true and correct copy of the foregoing document was served via (method of service) _____

_____ in accordance with the Texas Rules of Civil

Procedure upon the following party(ies):

Signature: _____

Name: _____

**UNSWORN DECLARATION IN LIEU OF NOTARY,
PURSUANT TO TEX. CIV. PRAC. & REM. CODE § 132.001**

I declare under penalty of perjury that all information in the document above is true and correct. This meets the statutory requirement to verify this pleading.

Signature: _____

Name: _____

EXHIBIT

A

CERTIFICATE OF LAST KNOWN MAILING ADDRESS

I, (name) _____, hereby certify that based upon a review of records in my/our possession and the records found in the public domain, the last known mailing address of (Defendant 1) _____ is _____.

Signature: _____
Name: _____

I, (name) _____, hereby certify that based upon a review of records in my/our possession and the records found in the public domain, the last known mailing address of (Defendant 2) _____ is _____.

Signature: _____
Name: _____

I, (name) _____, hereby certify that based upon a review of records in my/our possession and the records found in the public domain, the last known mailing address of (Defendant 3) _____ is _____.

Signature: _____
Name: _____

EXHIBIT

B

EXHIBIT

C