

GEORGE MORALES TRAVIS COUNTY CONSTABLE PRECINCT 4



4011 McKinney Falls Pkwy, Suite 1100 Austin, Texas. 78744-4107 PHONE: (512) 854-9488 Fax: (512) 854-4452

Case Filing Statistics Report- Evictions Filed FY17 TXTRAVIS

Precinct Four Case Filing Date Range: 10/01/2016 to 09/30/2017

Civil Eviction 1,743

Case Filing Statistics Report- Evictions Filed 1-1-17 to 7-31-17 TXTRAVIS

Precinct Four Case Filing Date Range: 01/01/2017 to 07/31/2017

Civil Eviction

1,252

Case Filing Statistics Report- Evictions Filed FY2016 TXTRAVIS

Precinct Four Case Filing Date Range: 10/01/2015 to 09/30/2016

Civil Eviction

2,048

Writ of Possession Service:

* Indicates number of cases filed for the fiscal year. Filed Date Range 10/1/16 to 9/30/17 FY17-	350
* Indicates number of cases filed Current Administration Filed Date Range 1/1/17 TO 7/31/17-	245
* Indicates number of cases filed Last Fiscal Year. Filed Date Range 10/1/15 to 9/30/16 FY16-	387
Grand Total -	350

Case Filing Statistics Report- Evictions Filed FY17

TXTRAVISPROD

Precinct Four

Case Filing Date Range: 10/01/2016 to 09/30/2017

Cases Filed in Date Range

Civil Case Type and Case Subtype

Eviction

Case Category

1,743

Grand Total Total Civil

1,743

1,743

Case Filing Statistics Report- Evictions Filed 1-1-17 to 7-31-17

TXTRAVISPROD

Precinct Four

Case Filing Date Range: 01/01/2017 to 07/31/2017

Cases Filed in Date Range

Case Type and Case Subtype

Case Category

Civi

Eviction

1,252

Grand Total Total Civil

1,252

1,252

Case Filing Statistics Report- Evictions Filed FY16

TXTRAVISPROD

Precinct Four

Case Filing Date Range: 10/01/2015 to 09/30/2016

Cases Filed in

Civil

Case Type and Case Subtype

Case Category

Date Range

Total Civil Eviction

Grand Total

2,048

2,048 2,048

Page 1 of 1

Writ of Possession Service:

Filed Date Range 10/1/16 to 9/30/17 FY17-350

Filed Date Range 1/1/17 TO 7/31/17- 245

Filed Date Range 10/1/15 to 9/30/16 FY16- 387



GEORGE MORALES

TRAVIS COUNTY CONSTABLE PRECINCT 4



4011 McKinney Falls Pkwy, Suite 1100 Austin, Texas. 78744-4107 PHONE: (512) 854-9488 Fax: (512) 854-4452

24.001. FORCIBLE ENTRY AND DETAINER. (a) A person commits a forcible entry and detainer if the person enters the real property of another without legal authority or by force and refuses to surrender possession on demand.

- (b) For the purposes of this chapter, a forcible entry is:
- (1) an entry without the consent of the person in actual possession of the property;
- (2) an entry without the consent of a tenant at will or by sufferance; or
- (3) an entry without the consent of a person who acquired possession by forcible entry.

Sec. 24.0061. WRIT OF POSSESSION. (a) A landlord who prevails in an eviction suit is entitled to a judgment for possession of the premises and a writ of possession. In this chapter, "premises" means the unit that is occupied or rented and any outside area or facility that the tenant is entitled to use under a written lease or oral rental agreement, or that is held out for the use of tenants generally.

- (b) A writ of possession may not be issued before the sixth day after the date on which the judgment for possession is rendered unless a possession bond has been filed and approved under the Texas Rules of Civil Procedure and judgment for possession is thereafter granted by default.
- (c) The court shall notify a tenant in writing of a default judgment for possession by sending a copy of the judgment to the premises by first class mail not later than 48 hours after the entry of the judgment.
- (d) The writ of possession shall order the officer executing the writ to:
- (1) post a written warning of at least 8-1/2 by 11 inches on the exterior of the front door of the rental unit notifying the tenant that the writ has been issued and that the writ will be executed on or after a specific date and time stated in the warning not sooner than 24 hours after the warning is posted; and
- (2) when the writ is executed:
- (A) deliver possession of the premises to the landlord;
- (B) instruct the tenant and all persons claiming under the tenant to leave the premises immediately, and, if the persons fail to comply, physically remove them;

remove all personal property from the rental unit other than personal property claimed to be owned by the landlord; and

- (D) place, or have an authorized person place, the removed personal property outside the rental unit at a nearby location, but not blocking a public sidewalk, passageway, or street and not while it is raining, sleeting, or snowing, except as provided by Subsection (d-1).
- (d-1) A municipality may provide, without charge to the landlord or to the owner of personal property removed from a rental unit under Subsection (d), a portable, closed container into which the removed personal property shall be placed by the officer executing the writ or by the authorized person. The municipality may remove the container from the location near the rental unit and dispose of the contents by any lawful means if the owner of the removed personal property does not recover the property from the container within a reasonable time after the time the property is placed in the container.
- (e) The writ of possession shall authorize the officer, at the officer's discretion, to engage the services of a bonded or insured warehouseman to remove and store, subject to applicable law, part or all of the property at no cost to the landlord or the officer executing the writ.
- (f) The officer may not require the landlord to store the property.
- (g) The writ of possession shall contain notice to the officer that under Section 7.003, Civil Practice and Remedies Code, the officer is not liable for damages resulting from the execution of the writ if the officer executes the writ in good faith and with reasonable diligence.
- (h) A sheriff or constable may use reasonable force in executing a writ under this section.

Added by Acts 1985, 69th Leg., ch. 319, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 314, Sec. 1, eff. Sept. 1, 1987; Acts 1987, 70th Leg., ch. 745, Sec. 6, eff. June 20, 1987; Acts 1987, 70th Leg., ch. 1089, Sec. 1, eff. Aug. 31, 1987; Acts 1989, 71st Leg., ch. 2, Sec. 13.01, eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 688, Sec. 5, eff. Sept. 1, 1989; Acts 1997, 75th Leg., ch. 1205, Sec. 4, eff. Sept. 1, 1997.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 355 (H.B. 1853), Sec. 1, eff. September 1, 2015.

IF YOU NEED A LAWYER AND DON'T KNOW ONE, THE LAWYER REFERRAL SERVICE CAN HELP

512-472-8303

866-303-8303 (toll free) www.AustinLRS.org

Weekdays 8:00 am to 4:30 pm
\$20.00 for first half hour attorney consultation
(free consultations for personal injury, malpractice, worker's compensation,
bankruptcy, and social security disability)

This service is certified as a lawyer referral service as required by the State of Texas under Chapter 952, Occupations Code. Certificate No. 9303

SI USTED NECESITA EL CONSEJO DE UN ABOGADO Y NO CONOCE A NINGUNO PUEDE LLAMAR A LA REFERENCIA DE ABOGADOS

512-472-8303

866-303-8303 (Ilame gratis) www.AustinLRS.org

Abierto de lunes a viernes de 8:00 am-4:30 pm \$20.00 por la primera media hora de consulta con un abogado (la consulta es gratis si se trata de daño personal, negligencia, indemnización al trabajador, bancarrota o por incapacidad del Seguro Social)

This service is certified as a lawyer referral service as required by the State of Texas under Chapter 952, Occupations Code. Certificate No. 9303

CAUSE NUMBER

PLAINTIFF:

IN THE JUSTICE COURT PRECINCT 4, TRAVIS COUNTY, TEXAS

DEFENDANT:
OFFICER'S SWORN REQUEST FOR ALTERNATIVE SERVICE UNDER RULE 510.4(e)
My name is K. Beasley #411. I am a Deputy Constable for Precinct 4, Travis County. I have attempted service in the above cause on Defendant at the Defendant's place of abode/business at TX 78, Travis County, Texas as shown in the Plaintiff's sworn complaint. I attempted service under Rule 510.4(b) at the following places and times and was unsuccessful, and I have therefore satisfied the requirements of Rule 510.4(c).
January 2017@ January 2017@
I hereby request alternative service be ordered on said Defendant in the above cause pursuant to Rule 510.4(c).
K.B.J.
Deputy Constable K. Beasley #411
Sworn to and Subscribed before me on the day of January 2017.
Notary Public / Peace Officer, Travis County, Texas
ORDER AUTHORIZING ALTERNATIVE SERVICE UNDER RULE 510.4(c)
The Court, having considered the sworn statement filed by is Deputy K. Beasley #411who attempted to serve Defendant in the above cause, finds that the requirements for alternative service under Rule 510.4(b) have been met. Therefore, it is ordered that service of the citation in the above cause on Defendant be made by slipping it under the front door or main entry, or through a door mail chute if practical, or by securely affixing it to the front door or main entry at the Defendant's place of abode/business. It is further ordered that a true copy of the citation and sworn complaint be sent via first class mail on the day or the next day, addressed to the Defendant at the above address, and that the officer shall note on the return the date of delivery and the date of mailing.
Entered and signed
Raul Gonzalez Justice of the Peace Pct. 4

AFFIDAVIT OF ALTERNATE SERVICE OF CITATION OF RULE 501.2 (e)

STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, this day personally appeared Deputy L. Edwards #410, to me well known, and who, after being by me duly sworn, did depose and say: I am a Deputy Constable, employed by George Morales, Constable of Precinct 4, Travis County, Texas. On , this office was assigned a Citation as Cause No. styled vs , and was instructed to serve above named defendant at , which is the parties usual place of abode.
Service was attempted on:
I believe the said party will be given notice of this suit by delivering a copy of the Citation, with petition attached, to the above address which is his usual place of business or abode, in accordance with provisions of Rule 501.2(e), Texas Rules of Civil Procedure,
X 1) By mailing a copy of the citation with a copy of the petition attached by first class mail to the defendant at the above address, and also leaving a copy of the citation with petition attached at the defendant's residence or other place where the defendant can probably be found with any person found there who is at least 16 years of age; and
X 2) By mailing a copy of the citation with a copy of the petition attached by first class mail to the defendant at the above address, and also leaving a copy of the citation with petition attached at the defendant's residence or other place where the defendant can probably be found by attaching to the front door.
July #410
Deputy L. Edwards #410, Deputy Constable Precinct 4, Travis County, Texas
Subscribed and sworn to before me on theday of, 2016.

Peace Officer / Notary Public in and for the State of Texas

JP Civil Fee Schedule as of Jan 2017

Filing Fees	TOTAL
Original, Third Party, Counter Action, Intervention	\$121.00
Eviction Cases	\$116.00
Illegal Tow (Removal & Storage)	\$41.00
Writ of Garnishment (including Rule 659 New Case Docketed)	\$161.00
Student Loan Cases	\$121.00
Delinquent Tax Cases	\$116.00
Writ of Attachment	\$201.00
Distress Warrant	\$256.00
Writ of Sequestration	\$201.00
Writ of Re-Entry	\$201.00
Order of Retrieval- Notice to Current Occupant & Entry/inventory Service	\$206.00
Tenant's Right of Restoration of Service (New Filing)	\$206.00
Judicial- Repair & Remedies	\$121.00
Bill of Review (Eviction)	\$41.00
Bill of Review (Non-Eviction)	\$46.00
Occupational License	\$46.00
Toll Hearing for Habitual Violators Classification	\$196.00
Truant Conduct	\$50.00

Post Judgment Fees	TOTAL
Transcript (Making & Certifying entries of Docket including Appeal/Certiorari)	\$10.00
Abstract of Judgment	\$5.00
Writ of Execution & Order of Sale	\$225.00
Restitution or Other Writ	\$120.00
Writ of Possession	\$165.00
Show Cause Order	\$80.00
Subpoena/Subpoena Duces-Tecum (\$10.00 Cash witness fee paid by person who summons)	\$75.00
Summons	\$75.00
Writ of Attachment (if "Rule 659" new case number issued use Before Judgment fees)	\$160.00
Turnover Order & Other Writs	\$120.00
Tenant's Rights of Restoration of Service	\$165.00

JP Civil Fee Schedule as of Jan 2017

Other Fees	TOTAL
NSF	\$30.00
Jury Demand	\$22.00
Expunction - \$1.00 Certified Mailing of Notice - \$2.00 Certified Mailing of Notice	\$30.00
Interpreter Fee	\$3.00
Fee for Probable Cause Hearing in Towing Cases - \$1.00 Plus Postage for Certified Mailing of Hearing Date - \$2.00 Plus Postage for Certified Mailing of Certified Copies	\$20.00
Peace Bond - \$1.00 plus postage for Notice - \$2.00 plus postage for Order	
Certifled Mall (Mail \$0.47 Certified \$3.30, Return Receipt \$2.70)	\$6.47
Citation Service By Mail (Mail \$0.47 Certified \$3.30, Return Rec. \$2.70 & Restricted Del. \$4.95)	\$11.42
Registered Mail	\$12.20
Juror Fail To Appear –(Paid by Juror)	\$100 to \$500
Juror Empanelment Fee – (Paid by party requesting jury trial)	Set by Judge

COPIES	TOTAL
Certification/Authentication or transcript of Civil Proceedings (for the 1st page)	\$2.00
Additional Pages (per page)	\$0.25
Certified File	\$5.00
Issuing & Recording Writ of Process in Furtherance of Judgment	\$5.00
Issuing other documents (no return required)	\$1.00
Additional Pages (per page)	\$0.25
Birth Certificate	\$20.20
- Copy	\$1.00
- Additional copies	\$0.25
- Records Preservation Fee for every original/copy of BC	
Death Certificate	\$20.00
- Additional Copies	\$3.00
- Records Preservation Fee for every original/copy of DC	

CAUSE	NO.	

PLAINTIFF'S ORIGINAL PETITION FOR EVICTION SUIT In the Justice Court, Precinct Four, Travis County, Texas

PLAINTIFF(S) NAME(S):		PHONE:	
Date of Birth:	Driver's License No	S1	
() AGENT or () ATTORNEY:	•	PHONE:	
ADDRESS(for court purposes):	CITY:	STATE:	ZIP:
	VERSUS		
DEFENDANT(S) NAME:		PHONE:	
Date of Birth:	Driver's License No	.:	
RESIDENCE ADDRESS:	CITY:	STATE:	ZIP:
WORK ADDRESS:	CITY:	STATE:	ZIP:
Plaintiff knows of no other work or residence address	ses of Defendant within this co	unty.	·
1. This is a lawsuit to evict		, a	tenant who leases
the property located at			•
This property is within Justice Court Precinct Fo	our at Travis County. The owne	ar/landlord is	• 14
			£
2. The tenant rented this property on or about		an	d still holds the property.
The lease is (check one): () written (a copy at which is attached) () oral			
3. The rent is \$ per month as	nd is due on the	day of each mor	nth.
4. The landlord claims the tenant should be evicted	ed because:		
5. Written notice to vacate and demand for posse () Certified mail () Regular mail () Delivery in person () Other (explain)			-
THE COURT IS ASKED TO EVICT THE TENANT AND C			
Pay rent owed in the amount of \$ Pay court costs; Pay reasonable attorney's lees of \$		ing through the dat	e of the judgment;
[] I request a jury trial. The fee is \$22.00			
[] I give my consent for the answer and any other	er motions for pleadings to be se	ent to my email add	ress which is:
16			94
Plaintiff(s) Signature	Authorized	() Agent or () Atto	rney
Said Plaintiff (or the agent or attorney), being duly s the above instrument are, within the knowledge of s	wom by me, the undersigned a ald alliant, true and correct.	uthority, upon oath	says that the facts as stated in
SWORN TO AND SUBSCRIBED BEFORE ME, to certify to	which, wilness my official hand and	seal of this office this	s day of
COURT CLERK, JUSTICE COURT, PCT. 4, TRAVIS COUNTY, TO NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.		Y COMMISSION EXPIRE	is:

Constables Fees

Fees effective January 1, 2016	Amount
CITATION (County and District Court)	\$75.00
CITATION (Small Claims and Justice Court)	\$75.00
CITATION (Probate, by posting)	\$75.00
SUBPOENA (Civii)	\$75.00
SUMMONS (Civii)	\$75.00
FORCIBLE DETAINER	\$75.00
INJUNCTION	\$115.00
TURNOVER ORDER ‡	\$115.00
WRIT OF EXECUTION*:	\$220.00
ORDER OF SALE*‡	\$220.00
TEMPORARY RESTRAINING ORDER	\$115.00
WRIT OF POSSESSION ‡	\$160.00
PROTECTIVE ORDER (to be charged to respondent)	\$140.00
WRIT OF ATTACHMENT ‡	\$155.00
WRIT OF SEQUESTRATION ‡	\$155.00
WRIT OF GARNISHMENT ‡	\$115.00
DISTRESS WARRANT	\$220.00
WRIT OF RE-ENTRY ‡	\$160.00
ORDER OF PERSONAL PROPERTY RETRIEVAL ‡	\$160.00
CIVIL SHOW CAUSE ORDER	\$75.00
OTHER WRITS‡	\$115.00
MENTAL/ALCOHOL/DRUG COMMITMENT	\$15.00
PEACE BOND	\$15.00
POSTING WRITTEN NOTICE (each)	\$60.00
TAKING AND APPROVING BOND	\$35.00
EXECUTING A DEED	\$35.00
EXECUTING A BILL OF SALE	\$35.00
CRIMINAL RECORD/WARRANT LETTER	\$15.00
(†) The fees listed above apply to an unsuccessful attempt to provide this	
service as well as a successful attempt.	
(*) County commission due based on percent of monies collected is 10% of 1st \$20,000; and 4% of amounts greater than \$20,000.	

<u>Domestic Violence</u> Travis County Attorney's Office

512-854-9415

Protective orders for victims of domestic violence

Safe Place

24 hour Hotline 512-267-SAFE (7233) www.safeaustin.org

 Emergency shelter, counseling, and other support for survivors of domestic violence or sexual assault
 Family Violence Protection Team 512-974-8535

Texas Advocacy Project
www.womenslaw.org

• Family Violence Hotline 1-800-374-HOPE (4673)

Sexual Assault Hotline
 800-269-SAFE (7233)

Child Support and Visitation
Domestic Relations Office

512-854-9696

www.traviscountytx.gov/dro

Child support office

 Travis County child and medical support orders enforced

Attorney General's Office

South Austin Office 512-441-6162 North Austin Office 512-339-1135

www.oag.state.tx.us

- Paternity and child support established
- Child and medical support orders enforced and modified

Visitation

Visitation orders enforced
 Access and Visitation Hotline
 1-866-292-4636 M-F 1-7 p.m.
 www.txaccess.org



Constable

George Morales

Main Line:

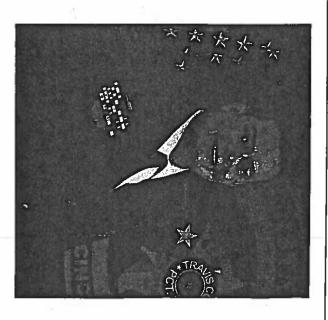
Phone: (512) 854-9488

Fax: (512) 854-4452

Special Events:

Phone: (512) 854-1829

www.traviscountytx.gov/constables/4



Travis County
Constable's
Office Precinct 4
Helpful Resource
Guide

Free Legal Advice / Representation

Free Evening Legal Clinics www.vlsoct.org 1-800-369-9270

- Mondays 6-7 p.m. at Martin Jr. High, 1601 Haskell
- Middle School, 601 E. St. John Wednesdays 6-7 p.m. at Webb
- Free legal advice regardless of income
- Low-income individuals may apply for full legal representation

Free Legal Advice Hotline

512-472-8303

Tuesday 5:30-7:30 pm

Texas Rio Grande Legal Aid

1-888-988-996

 Legal representation for low-income people in family law & other civil www.trla.org cases

Family Law Hotline 1-800-777-FAIR Texas Advocacy Project

Free Legal Forms / Info

Travis County Law Library & Self-Help Center

314 West 11th, Suite 140, Austin www.traviscountylawlibrary.org 512-854-8677

- Free legal forms and help from
- Reference Attorney with uncontested Travis County family law cases
- Free legal forms and information

www.TexasLawHelp.orct

Mediation

512-371-0033 www.austindrc.org Dispute Resolution Center

Housing

512-735-2400 www.lifeworksaustin.org 512-474-1961 www.housing-rights.org **Texas Rio Grande Legal Aid** 512-327-2700 www.trla.org **Austin Tenants Council** Lifeworks

Counseling

Austin Child Guidance Center

512-452-2241

www.austinchildguidance.org

Counseling for children

Lifeworks

512-735-2400

www.lifeworksaustin.org

YWCA Women's Counseling and Youth and adult counseling

Referral Center

512-326-1222 www.ywcaaustin.org

Capital Area Mental Health Center Low cost counseling for women 512-328-1000 www.cacaustin.org

Low cost psychological counseling

Elder Law

Legal Hotline for Texans www.familyeldercare.org Family Eldercare 512-450-0844 512-477-3950 www.tlsc.org

Legal Hotline for Veterans 1-800-622-2520

Other Hotlines

Abuse Hotline 1-800-252-5400

- Report abuse or neglect of children MHMR Crisis Hotline 512-472-4357 and elderly or disabled adults
- Telephone counseling, crisis and suicide prevention

Lifeworks Youth Crisis Hotline **Texas Legal Hotline** 512-735-2400

1-800-622-2520

Immigration Law

American Gateways 512-478-0546 www.americangateways.org

Disability Law

1-800-315-3876 (Voice / TDD) www.advocacyinc.org Advocacy, Inc.

Referrals

Callers referred to private attorneys 512-472-8303 or 1-866-303-8303 Lawyer Referral Service www.austinlrs.com

 Match Program - reduced-fee program for low-income callers Dial 211 or 512-973-9203 First Call for Help: 211

24-Hour community service referral

Asesoramiento Jurídico Gratis

1-800-369-9270

www.vlsoct.org

- Lunes: 6-7pm en la escuela Martin Jr.
 High: 1601 Haskell
- Miércoles: 6-7pm en la escuela Webb 601 E. St. John
- Asesoría jurídica gratuita independientemente de los ingresos
- Para personas de bajo ingresos, pueden aplicar para representación legal completa

<u>Linea Gratuita de Asesoría Legal</u>

- 512.472.8303
- Martes: 5:30pm 7:30pm

Ayuda Legal - Texas Rio Grande

- 1-888-988-9996
- www.trla.org
- Representación legal para personas/familias de ingresos bajos en derecho de familia y otros casos civiles.

Proyecto de Advocación de Tejas:

Derechos de familias: 1-800-777-FAIR (línea directa).

Formas Legales Gratis y Información

Condado de Travis- Biblioteca y Centro de Auto-ayuda. 314 W. 11th, Ste. 140 (Austin) 512.854.8677

www.traviscountylawlibrary.org

 Formas legales gratis y ayuda de abogado de referencia con casos de ley de familia del condado de Travis

www.TexasLawHelp.org

Free legal forms and information

<u>Mediación</u>

Dispute Resolución Center 512.371.0033 www.austindrc.org Viviendas

Austin Tenantes Council
512.474.1961 www.housing-rights.org
Texas Rio Grande Legal Aid
512.327.2700 www.trla.org

Lifeworks

512.735.2400 www.lifeworksaustin.org

<u>Asesoramiento</u>

Centro de niños de Austin Child Guidance Center

512.452.2241

www.austinchildguidance.org
Counseling for children

LifeWorks

512.735.2400

www.lifeworksaustin.org
Youth & adult counseling

YWCA www.austinchildguidance.org
Counseling for children

YWCA Women's counseling & Referral Center

512.326.1222 www.ywcaaustin.org

 Low cost counseling for women Capital Area Mental Health Center 512.328.1000 www.cacaustin.org
 Low cost psychological counseling

Elder Law

Family Eldercare
512.450.0844

www.familyeldercare.org
Legal Hotline for Texans
512.477.3950

www.tlsc.org

Veteranos

La Línea Directa – Para Veteranos 1-800.622.2520

Otras Lineas Directas

De Abuso e Hotline 1-800-252-5400
Report abuse or neglect of children and elderly or disabled adults

MHMR Crisis Hotline 512.472.4357

Telephone counseling, crisis and suicide prevention

Lifeworks Youth Crisis Hotline

512.735.2400

Texas Legal Hotline

1-800-622-2520

Immigration Law

American Gateways 512.478.0546 www.americangateways.org

Disability Law

Advocacy, Inc.

1-800-315-3876 (Voice/TDD)
www.advocacyinc.org

Referrals

Lawyer Referral Services
512.472.8303 or 1.866.303.8303
www.austinlrs.com
Callers referred to private attorneys

Match program -- reduced-fee program for low-income callers
First call for Help: 211

First call for Help: 211
Dial 211 or 512.973.9203
24-Hour community service referral