

Defendant's Original Answer

If your landlord files an eviction suit against you, you are the defendant and the landlord is the plaintiff. When you receive the eviction lawsuit papers, you will be asked to "answer" the suit in court. (Many JP courts only give tenants a trial date, and in these courts you must answer the case by appearing for trial in person.) An answer is a statement made to the court in which you deny the claims made against you and raise any legal defenses you may have. You have a legal right to deny the claims in the answer in the form of a "general denial" even if the landlord's claims are true. You do not even have to state what is true or not true.

You can give an oral answer or a written answer to the J.P. court, but a written answer is preferred. To file a written answer, you may use this form, your own form if properly drafted, or the court's form (some courts will provide form answers). If you were to appeal your case to the county court, you must have a written answer on file. You can use this form for either J.P. court or county court if you have appealed.

This form is ready to be used in justice court (Justice of the Peace, or "JP" court), but it can also be used in county court if you appealed the case. You will need to download it, print it and fill it out (instructions on filing it out are below). The form is ready to be downloaded in the following formats:

Once the form is printed you will need to fill in these blanks in the form:

- 1 The first blank at the top of the form is the Case Number. This number is on the documents you were served with by the constable or sheriff from the court.
- 2 On the right side at the top is the court information. Put the County of suit in the blank and put which Precinct and Place of the justice court where the suit was filed (e.g., Precinct 1, Place 2, Dallas County, Texas). This information is also on the documents you were served with by the constable or sheriff from the court.
- 3 Since the landlord filed the suit, it is the Plaintiff. Put your name in the blank for Defendant.
- 4 Then sign your name at the bottom. Print your name, complete address and phone number below your signature.
- 5 You are required to send a copy of the answer to the landlord. In the Certificate of Service indicate which method you are going to use to give the landlord a copy of the answer, place the date you sent it, and then sign your name at the bottom of the certificate of service.

Finally, read over the form and make sure it has been filled out completely. Then make two copies of the signed form and take them, with the original to the justice court for filing. The court will keep the original, and give you back one copy to serve on the landlord and one for your records. For more information on proceeding with the case, see Eviction Process, and Representing Yourself.

Cause No. _____

_____	§	IN THE JUSTICE COURT
Plaintiff	§	
	§	
v.	§	PRECINCT _____, PLACE _____,
	§	
_____	§	
Defendant	§	_____ COUNTY, TEXAS

Defendant's Original Answer and Trial Demand

To the Honorable Judge of This Court:

1. General Denial

Defendant enters a general denial.

2. Request for Relief

Defendant demands a trial, and asks that Plaintiff take nothing; that the Court assess all costs against Plaintiff; and that the Court grant such other and further relief, at law or in equity, to which Defendant may prove to be justly entitled.

Defendant's Signature, Pro Se

Defendant's Name

Street Address

City/State/Zip code

Phone Number

Certificate of Service

I hereby certify that a true and correct copy of the foregoing answer has been:

sent by certified mailed, return receipt requested;
faxed; or
hand delivered

to _____, Plaintiff or the agent for

Plaintiff, on this _____ day of _____, 201__.

Defendant