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

| PLAINTIFF(S), | § IN THE DISTRICT COURT OF |
| --- | --- |
|               Plaintiff(s), | § |
| v. | § \_\_\_ JUDICIAL DISTRICT |
|  | § |
| DEFENDANT(S), | § HARRIS COUNTY, TEXAS |
|               Defendant(s). | § |

### **NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF CITATION**

**TO: (Defendant’s Name), Defendant**

A lawsuit has been filed against you. A copy of the Plaintiff’s Original Petition is enclosed with this request.

You have the right to be formally served with a citation by a sheriff, constable, or other authorized person. However, you can waive this right and save the costs of service by signing and returning the enclosed waiver form. Your waiver of service of citation does not waive any of your rights to contest the jurisdiction of the court or the appropriateness of the venue.

If you sign and return the enclosed Waiver of Service of Citation, you must file a written answer or other response to the petition with the clerk of the court within **60 days** from the date this request was sent. The date this request was sent is stated below. If you fail to do so, a default judgment may be taken against you.

If you do not return the signed waiver within the time allowed, I will arrange to have you formally served with a citation. In that event, the court may order you to pay the costs of this service. If you are formally served, you will be required to file a written answer or other response to the petition by 10:00 a.m. on the Monday next following the expiration of **20 days** after the date you were served.

This request was sent on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

If you choose to waive service, you must sign and return the enclosed Waiver of Service of Citation to me by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_ (which is at least 30 days from the date the request was sent).

A stamped, pre-addressed envelope is enclosed for your convenience.

Respectfully submitted,

[Plaintiff’s/Attorney’s Name]
State Bar No. [if applicable]
[Address]
[City, State, Zip]
[Phone Number]
[Email Address]
[Attorney for Plaintiff / Plaintiff Pro Se]

#### **CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_, a true and correct copy of this Notice of Lawsuit and Request for Waiver of Service of Citation, along with a copy of the Plaintiff’s Original Petition and a self-addressed, stamped envelope, was sent to the Defendant, [Defendant’s Name], via certified mail, return receipt requested, at the following address:

[Defendant’s Full Address]

[Plaintiff’s/Attorney’s Name]

**(Detach and Return This Portion)**

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

| PLAINTIFF(S), | § IN THE DISTRICT COURT OF |
| --- | --- |
|               Plaintiff(s), | § |
| v. | § \_\_\_ JUDICIAL DISTRICT |
|  | § |
| DEFENDANT(S), | § HARRIS COUNTY, TEXAS |
|               Defendant(s). | § |

### **WAIVER OF SERVICE OF CITATION**

I, (Defendant’s Name), acknowledge receipt of the Notice of Lawsuit, the Request for Waiver of Service of Citation, and a copy of the Plaintiff’s Original Petition in the above-styled and numbered cause.

I voluntarily waive issuance and service of citation in this case.

I understand that I must file an answer or other responsive pleading within **60 days** from the date the request for waiver was sent, which was \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_. I understand that if I fail to do so, a default judgment may be entered against me.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_

(Defendant’s Name), Defendant