

Cause Number _____

Complete this section so that it looks exactly like the Petition filed in your case.

In the Justice Court County Court:

_____ Precinct or Court No.

_____ Place No. (if applicable)

_____ County, Texas

Motion to Abate

1. My name is: *(Tenant full name)* _____.
2. I am the Respondent in this case.
3. If I am evicted, I will be at greater risk of contracting COVID-19.
4. If I am evicted, I will be at greater risk of spreading COVID-19 to others.
5. Abatement of this case will likely prevent my eviction because: *(Check all that apply.)*
 - I have applied for rent assistance and my application is pending.
 - My application for rent assistance has been approved and payment is pending.
 - I have not yet completed a rent assistance application, but I intend to do so.
 - The landlord or their agent has a pending rent assistance application or has submitted information to a rent assistance program with the intent of receiving funds for the unit where I live.
 - The landlord or their agent has been approved for rent assistance for the unit where I live and payment is pending.
 - The landlord or their agent has agreed to participate in abatement procedures available under the Supreme Court of Texas’s Forty-Sixth Emergency Order or subsequent extension of the Order.
 - Other: *(Write why the Court should abate this case.)* _____
6. I have attached evidence of my rental assistance application. *(optional)*
7. I have attached evidence of my landlord or their agent’s rental assistance application. *(optional)*
8. I have attached the following additional evidence *(optional)*: _____
9. I ask the Court to abate this case per its authority under the Supreme Court of Texas’ Forty-Fourth Emergency Order Regarding the COVID-19 State of Disaster, or per any subsequent order granting this court authority to abate cases for the purpose of limiting the negative health effects of COVID-19.

Respectfully submitted,



Your Signature

Date

Your Printed Name

Phone

Mailing Address

City State Zip

Email Address

Fax Number (if available)

Notice of Hearing

(You or the court will fill out this section when you file the motion and get a hearing date.)

The above motion is set for hearing on _____ at _____ a.m. p.m.

at the _____ Precinct, Place (if applicable) _____, located at:

Physical Address of Courthouse

City

State

Zip



Signature of Judge or Clerk (if required in your County)

Declaration

(This section affirms that the Notice of Hearing information above is correct.)

My full name is: _____,

my date of birth is: _____, and

my street address is: _____, and the United States.

I declare **under penalty of perjury** that the foregoing is true and correct.

Executed (signed) in _____ County, Texas on this date: _____.



Signature of Party Asking for Motion to Abate

Certificate of Service

(Choose how you will give a copy of this document to the other side. Deliver the copy on the same day that you sign this section.)

I certify that I delivered a copy of this document to each party in this case, or if a party is represented by a lawyer to the party's lawyer, by: (Check one.)

Hand delivery to the other party: _____

Hand delivery to the other party's lawyer: _____

Email to this email address: (**Note:** This method can only be used if the landlord has consented to service by email in writing. Ask the court if the opposing party has signed a consent to be served by email.)

Certified mail, return receipt requested to this address: (**Note:** Service by certified mail is complete when the document is properly addressed and deposited in the mail with postage prepaid.)

Commercial delivery service (for example FedEx) to this address:

Fax to fax #: _____

Electronic service through the electronic filing manager. (**Note:** This method is required if you file this document electronically and the electronic filing manager has the Plaintiff's email address on file.)



Signature of Party Asking for Motion to Abate

Date