

**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-eighth 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-eighth 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