

CAUSE NO. _____

(Plaintiff)

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IN THE _____ COURT
(County or District)

VS.

OF LAW NO. _____

TEXAS DEPARTMENT OF
MOTOR VEHICLES
(List other potential defendants)
(Defendants)

(Name of County) COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, _____ ("Plaintiff") complaining of the Texas Department of Motor Vehicles ("Defendant") and (list other defendants) and would show this Court as follows:

1. Plaintiff is an individual residing in _____ County, Texas.
2. Defendant, _____, an individual, may be served with process at

_____.

3. The Texas Department of Motor Vehicles ("Defendant or TxDMV") is a public agency and may be served with informal process by serving its representative, Mrs. Sarah I. Swanson, Associate General Counsel, Office of General Counsel, 4000 Jackson Avenue, Austin, Texas 78731.

4. On or about _____, Plaintiff contracted to sell a year and make, vehicle identification number _____ (the "Vehicle") to purchaser's name.

Plaintiff, in good faith, executed the necessary documents to transfer title to the Vehicle to purchaser's name, but the transaction was never consummated and the documents

were executed and presented to Defendant in error as the Vehicle was not actually sold to purchaser but remained in the possession of Plaintiff. Specifically, the Texas Certificate of Title (the "Title") and associated title documents for the Vehicle were presented to Defendant along with an Application for Title in the name of _____.

A true and correct copy of the Vehicle purchase order is attached hereto as Exhibit "A" and made a part hereof for all purposes.

4. Wherefore, Premises Considered, Plaintiff respectfully prays that:

- (1) If no certificate of title has been issued, a permanent injunction be issued ordering Defendant to refrain from processing the title transaction and issuing a certificate of title and registration in the name of _____ to the Vehicle and to return all documents relative to the Vehicle to Plaintiff;
- (2) If a certificate of title has been issued in the name of purchaser, a permanent injunction be issued ordering Defendant to cancel the certificate of title; and
- (3) All other and further relief to which Plaintiff may show itself to be justly entitled.

Respectfully submitted,

Plaintiff, *pro se* or Plaintiff's Attorney

Address:

City, State, Zip Code:

Telephone:

Facsimile:

E-mail:

State Bar No.