

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 would show this Court as follows:

1. Plaintiff is an individual residing in _____ County, Texas.
2. The Texas Department of Motor Vehicles ("Defendant or TxDMV") is a public agency and may be served with informal process by serving its representative, Ms. Sarah I. Swanson, Associate General Counsel, Office of General Counsel, 4000 Jackson Avenue, Austin, Texas 78731.
3. On or about date, Plaintiff contracted to sell a (year/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 _____.
4. Specifically, the Texas Certificate of Title and associated title documents for the Vehicle were presented to Defendant along with an Application for Title in the name of (purchaser's name). A true and correct copy of the vehicle purchase order is attached hereto as Exhibit "A" and made a part hereof for all purposes.

5. Plaintiff respectively would show that, unless Defendant is immediately restrained from issuing certificate of title to (purchaser's name) on the Vehicle, Plaintiff will suffer irreparable and immediate injury since Plaintiff has no way of getting the title transferred back to Plaintiff and Plaintiff has possession of the Vehicle. Plaintiff further will show that it has no adequate remedy at law.

WHEREFORE, PREMISES CONSIDERED, Plaintiff 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 (purchaser) to the Vehicle and to return all documents relative to the Vehicle to the 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;
- (3) A permanent injunction be issued ordering Defendant to issue a Texas Certificate of Title to the subsequent purchaser for the Vehicle; and
- (4) 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.