



MIKE DRISCOLL
county attorney

RQ-671

February 14, 1994

RECEIVED

FEB 16 94 SJS

1001 Preston, Suite 634
Houston, Texas 77002-1891
713/755-5101
Fax# 713/755-8924

The Honorable Dan Morales
Attorney General of Texas
Supreme Court Building
P.O. Box 12548
Austin, Texas 78711-2548

FILE # ML-24645-94

I.D.# 24645

Re: Whether a default judgment in a forcible detainer action may award costs, attorney's fees, rent, and late charges in addition to a writ of possession when service is completed by the alternative methods authorized by Tex. R. Civ. P. 742(a) and the tenant failed to file an answer or appear at trial.
C. A. File No. 44,671.

Ladies and Gentlemen:

The Honorable Steve Phelps, Harris County Justice of the Peace, Precinct 8 - 2, has requested advice regarding the above-captioned matter. Our memorandum brief is enclosed for your review.

Please let us know if you need additional information or if we can be of further assistance.

Sincerely,

MIKE DRISCOLL
County Attorney

By MATTHEW MASEK
Assistant County Attorney

Enclosure