

**FIGHTING**  
**identity theft**

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**i**  
**id**

**Application**  
**Requesting Declaration**  
**of ID Theft**

CAUSE NO. \_\_\_\_\_

IN THE MATTER OF

\_\_\_\_\_

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§

IN THE DISTRICT COURT OF

\_\_\_\_\_ COUNTY, TEXAS

\_\_\_\_\_ JUDICIAL DISTRICT

**APPLICATION REQUESTING DECLARATION THAT APPLICANT IS A VICTIM OF  
IDENTITY THEFT**

1. I, \_\_\_\_\_, the applicant, am asking the Court to enter an order under the Identity Theft Enforcement and Protection Act, Section 521.101, Chapter 521 TEX. BUS & COMM. CODE (Vernon 2009) declaring that I am a victim of identity theft. The circumstances I have described below in paragraphs 2 through 5 support this Application.

2. Another person or persons used the following personal identifying information without my authority:

- my name;
- my social security number;
- my date of birth;
- my mother's maiden name;
- my government issued identification number;
- my fingerprints;
- my voice print;
- my retina or iris image;
- my unique electronic identification number, address or routing code;

- my financial institution account number or numbers;
- my telecommunications identifying information or access device.

The unauthorized use of this personal identifying information caused injury and harm to my name, reputation, rights, interests and/or property associated with my name and personal identifying information.

3. I have filed an identity theft complaint with the following law enforcement agency or agencies on the dates shown:

| Law Enforcement Agency | Date  |
|------------------------|-------|
| (a) _____              | _____ |
| (b) _____              | _____ |

4. On \_\_\_\_\_, 20\_\_\_\_, I received information from the offices of law enforcement agencies where I filed my identity theft complaint(s) and they have informed me of the following:

- They have **NOT** been able to identify any of the person or persons who used my personal identifying information. **[OR]**
- The person or persons who used my personal identifying information were identified and charged with the felony offense of “Identity Theft” pursuant to Section 32.51 of the Texas Penal Code and those charges
  - are still pending; OR
  - have resulted in a conviction; OR
  - were dismissed.

5. As of \_\_\_\_\_, 200\_\_, I have received information regarding the following unauthorized transactions in which my name or other personal identifying information was used

without my authorization:

- Unauthorized transaction using a check to take money from my bank account(s);
- Unauthorized transaction using a debit card to take money from my bank account(s);
- Unauthorized transaction charging my credit card account(s);
- Unauthorized transaction obtaining a credit card account using my name;
- Unauthorized transaction opening a bank account using my name;
- Unauthorized transaction establishing a utility account using my name;
- Unauthorized transactions to obtain goods using my name;
- Unauthorized transactions to obtain a service using my name;
- Unauthorized transactions to obtain insurance using my name;
- Unauthorized transactions to obtain a loan or an extension of credit using my name;
- Unauthorized transactions or events obtaining or using a driver's license, passport or other identification documents using my name;
- Unauthorized transactions or events related to obtaining or using a Social Security Card using my name;
- Other unauthorized transactions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

6. My personal identifying information and information regarding specific accounts and transactions is not detailed in this application in order to protect the confidentiality of that information.

7. I have not been informed about any other unauthorized transactions. In the event that I receive information regarding other unauthorized transactions before the date that this Court has a hearing to consider my application, I am asking the Court to allow me to present evidence of those additional unauthorized transactions at the hearing.

8. I have been informed that the Court will give notice to me about the date and time for a hearing on my application. At that hearing, I understand that I will be required to present evidence of each of the unauthorized transactions which I have listed above.

9. I am requesting that this Court set this matter for hearing and that after giving notice of the date and time for that hearing, that the Court enter an order declaring that I am a victim of identity theft because I have been injured by violations of Section 521.051, TEX. BUS & COMM. CODE (Vernon 2009) and/or Section 32.51 TEX. PENAL CODE. For the Court's convenience, I have attached relevant portions of the Texas Identity Theft Enforcement and Protection Act to my application.

Respectfully submitted,

\_\_\_\_\_  
(signature of applicant)

\_\_\_\_\_  
(printed name of applicant)

\_\_\_\_\_  
(street or p. o. box mailing address)

\_\_\_\_\_  
(city, state and zip code)

\_\_\_\_\_  
(telephone number)