

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MIDFIRST BANK,

Plaintiff,

v.

**RICHARD L. YANCHUS, RICHARD
JOHN FRANK, and MICHELL RUTH
ZOLNIER,**

Defendants.

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Civil Action No. 4:22-cv-00531

PLAINTIFF’S MOTION TO CONTINUE INITIAL CONFERENCE

MidFirst Bank (“Plaintiff”), files this *Motion to Continue Initial Conference* (“Motion”) and shows the Court as follows:

1. Plaintiff filed its *Original Complaint* (“Complaint”) on February 17, 2022, asserting a cause of action for non-judicial foreclosure against Defendants Richard L. Yanchus, Richard John Frank, and Michell Ruth Zolnier. [ECF Doc. No. 1].
2. Plaintiff has completed service on Defendants Richard Frank and Michell Ruth Zolnier. [ECF Nos. 7 and 8].
3. However, Plaintiff is still completing service on Defendant Richard L. Yanchus. Plaintiff is currently identifying potential alternative addresses to attempt service on Richard L. Yanchus.
4. The Initial Conference for this matter is set for April 22, 2021, at 11:50 AM. [ECF No. 5].
5. For these reasons, Plaintiff respectfully requests a continuance of the initial conference by 60 days in order to successfully complete service on Defendant, Richard L. Yanchus

to file the corresponding returns of service, and to allow the required time for all defendants to file an answer.

6. The continuance is not sought for purposes of delay, but so that justice may be done.

PRAYER

For these reasons, Plaintiff moves the Court to continue the initial conference for 60 days. Plaintiff further requests all other relief to which it may be entitled.

Respectfully submitted,

By: /s/ Nicholas M. Frame

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

The undersigned certifies that on April 8, 2022, Plaintiff conferred with Defendant, Michell Ruth Zolnier. Defendant, Michell Ruth Zolnier indicated that she was unopposed to relief sought by this motion for continuance of initial conference.

/s/ Nicholas M. Frame
NICHOLAS M. FRAME

CERTIFICATE OF SERVICE

The undersigned certifies that on April 8, 2022, a true and correct copy of the foregoing document was delivered via U.S regular mail notification to the following parties:

Michell Ruth Zolnier
Defendant
33110 Tall Oaks Way,
Magnolia, TX 77354

/s/ Nicholas M. Frame
NICHOLAS M. FRAME