

NO. 2022-63076

RICHARD KYLE	§	IN THE DISTRICT COURT
JANKOWIAK &	§	
BIANCA KIRK	§	
Plaintiffs, Debtors	§	
	§	
vs.	§	HARRIS COUNTY, TEXAS
	§	
	§	
GUILD MORTGAGE	§	
	§	133RD JUDICIAL DISTRICT
Defendants	§	

NOTICE OF NON-SUIT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW RICHARD JANKOWIAK and BIANCA KIRK, Plaintiffs herein, filing this their Notice of Non-Suit and would respectfully show the Court as follows:

1. Plaintiffs filed their Original Petition, Application for Injunctive Relief on September 29, 2022.
2. Plaintiff's counsel, via telephone and email, discussed the particular timing and plans of plaintiffs to sell the said property by the end of October, 2022. Counsels reasonably concluded that the sale of the property is now pending final title closing as described in their original pleadings, and will dispense with and further need for a trial in this matter.
3. All claims in this case against Defendant which were or could have been asserted by Plaintiffs are dismissed without prejudice.
4. Plaintiffs shall bear the costs of court.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs request that the Court take notice of this Notice of Non-Suit and enter an order dismissing Plaintiffs' claims against Defendant with prejudice.

Respectfully submitted,

By: /s/ JAMES RIVERA
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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was forwarded to trustee counsel for GUILD MORTGAGE on October 10, 2022.

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/s/ JAMES RIVERA
James Rivera