

CAUSE NO. 2022-68763

HOUSTON SECURED DEVELOPMENT § **IN THE DISTRICT COURT**
PARTNERS §
§
VS. § **151st JUDICIAL DISTRICT**
§
HSDP BAM LLC AND JOSEPH §
JACKSON § **OF HARRIS COUNTY, TEXAS**

DEFENDANTS' ORIGINAL ANSWER

HSDP BAM LLC and Joseph Jackson, Defendants herein, file this Original Answer and in support thereof would show the Court the following:

Defendants

1. Defendant HSDP BAM LLC: Defendant has not been issued a driver's license. Defendant has not been issued a Social Security number.
2. Defendant Joseph Jackson an individual residing in Harris County.

General Denial

3. Defendants deny each and every allegation in Plaintiff's Original Petition.

Plea to the Jurisdiction

4. This Court lacks jurisdiction in this cause because Plaintiff has no standing to present this matter to the Court.

Subject to and without waiving the above Plea to the Jurisdiction, Defendants would further show the Court as follows:

Affirmative Defenses

5. Defendants are not liable as alleged by Plaintiff because, even if the allegations were true, the Plaintiff lacks standing to bring the action. Houston Secured Development Partners LLC is a limited Liability of which defendant is the managing partner. The managing partner alone has the authority to bring a lawsuit on behalf of the Limited Liability Company. Individual members of the LLC may have a right to bring a cause of action against the managing partner,

however in this instance this was not done. Defendant Joseph Jackson is also member of the LLC.

6. Defendants are not liable as alleged by Plaintiff because Plaintiff is not the real party in interest. Plaintiffs are members of the LLC, not managers. Plaintiffs lack standing to bring a lawsuit on behalf of the LLC.

7. Defendants reserve the right to assert further affirmative defenses as they become evident through discovery investigation.

Verified Pleas

8. As required by Rule 93, Texas Rules of Civil Procedure, Defendants say that Plaintiff lacks capacity to sue. Plaintiff's lack standing to sue on behalf of the LLC

9. As required by Rule 93, Texas Rules of Civil Procedure, Defendants say that Plaintiff is not entitled to recover in the capacity in which Plaintiff sues. Defendants are not liable as alleged by Plaintiff because, even if the allegations were true, the Plaintiff lacks standing to bring the action. Houston Secured Development Partners LLC is a limited Liability of which defendant is the managing partner. The managing partner alone has the authority to bring a lawsuit on behalf of the Limited Liability Company. Individual members of the LLC may have a right to bring a cause of action against the managing partner, however in this instance this was not done. Defendant Joseph Jackson is also a member of the LLC.

Initial Disclosures

10. As provided in Rule 194, Texas Rules of Civil Procedure, required Initial Disclosures of all items listed in Rule 194.2 must be made at or within 30 days after the filing of the first answer unless a different time is set by the parties' agreement or court order.

Prayer

Defendants pray the Court enter judgment in favor of Defendants on all matters stated above and awarding Defendants such other and further relief to which the Court determines Defendants are entitled both in equity and at law.

Respectfully submitted,

LAW OFFICE OF WARREN FITZGERALD
MUHAMMAD

By: /s/Warren Fitzgerald Muhammad

Warren Fitzgerald Muhammad

Texas State Bar NO. 07089500

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Certificate of Service

I certify that a true copy of this document was served in accordance with Rule 21a of the Texas Rules of Civil Procedure on the following on November 1, 2022 via e-service through electronic filing system.

/s/Warren Fitzgerald Muhammad

Warren Fitzgerald Muhammad

Texas State Bar NO. 07089500

VERIFICATION

STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this day personally appeared the person known by me to be Joseph Jackson who, after being by me duly sworn, testified as follows:

“My name is Joseph Jackson, I am over 18 years of age, and I am competent to testify to these matters.

“I have personal knowledge of all facts stated in the above Defendant's Original Answer and all such facts are true and correct.”

Joseph Jackson

Joseph Jackson, Affiant

SUBSCRIBED AND SWORN TO before me on October 31, 2022.



Taryn Lachon Joiner

Notary Public

Automated Certificate of eService

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Case Contacts

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