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EML

COPY OF PLEADING PROVIDED BY PLT

CAUSE NUMBER: 202259154

PLAINTIFF: TEXAS ALLIANCE MEDICAL GROUP PA	In the 270th Judicial
vs.	District Court of
DEFENDANT: SMITH, ROY W	Harris County, Texas

CITATION

THE STATE OF TEXAS
County of Harris

TO: SMITH, ROY W
2616 S LOOP W SUITE 670
HOUSTON TX 77054
OR WHEREVER ELSE HE MAY BE FOUND

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION.

This instrument was filed on September 15, 2022, in the above numbered and styled cause on the docket in the above Judicial District Court of Harris County, Texas, in the courthouse in the City of Houston, Texas. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

ISSUED AND GIVEN UNDER MY HAND and seal of said Court, at Houston, Texas, this September 19, 2022.



Marilyn Burgess

Marilyn Burgess, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002

Generated By: carolina salgado

Issued at request of:
LEVINE, ALLAN G
2302 Fannin Street, Suite 500
Houston, TX 77002
713-659-7617
Bar Number: 12257140

Tracking Number: 74053321
EML

CAUSE NUMBER: 202259154

PLAINTIFF: TEXAS ALLIANCE MEDICAL GROUP PA

In the 270th

vs.

Judicial District Court

DEFENDANT: SMITH, ROY W

of Harris County, Texas

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock _____. M., on the _____ day of _____, 20_____.

Executed at (address) _____
in _____ County
at _____ o'clock _____. M., on the _____ day of _____, 20_____.

by delivering to _____ defendant,
in person, a true copy of this
Citation together with the accompanying _____ copy(ies) of the
_____ Petition
attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this _____ day of _____, 20_____.

FEE: \$ _____
_____ of _____

County, Texas

Affiant By: _____
Deputy

On this day, _____, known to me to be
the person whose signature
appears on the foregoing return, personally appeared. After being by me duly sworn,
he/she stated that this citation was executed by him/her in the exact manner recited
on the return.

SWORN TO AND SUBSCRIBED BEFORE ME on this _____ of _____, 20_____

Notary Public

NO. 2022-59154

Pgs-2

SBSRX

**TEXAS ALLIANCE MEDICAL
GROUP, PA**

Plaintiff,

vs.

ROY W. SMITH

Defendant.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, T E X A S

270th JUDICIAL DISTRICT

ORDER ON MOTION FOR SUBSTITUTE SERVICE OF PROCESS

ON THIS DAY came on for consideration the Plaintiff's Motion for Substitute Service under Rule 106(b), Texas Rules of Civil Procedure. It appears to the Court that Plaintiff has attempted but failed to personally serve Defendant Roy W. Smith at the last known usual place of abode or business. It further appears to the Court that the manner of service ordered herein will be reasonably effective to give said Defendant notice of the lawsuit. It is therefore,

ORDERED, ADJUDGED, and DECREED that the Motion for Substitute Service is **GRANTED**. It is further,

ORDERED, ADJUDGED, and DECREED that service of process may be made upon the Defendant, either: (1) by leaving a true copy of the citation, with a copy of the Original Petition and this Order authorizing substituted service attached, with anyone over sixteen (16) years of age at 2616 S. Loop W., Suite 670, Houston, Texas 77054; or (2) by firmly affixing a true copy of the citation, with a copy of the Original Petition and this Order authorizing substituted service attached, to the front door of Defendant's last known usual place of abode or business or wherever else he may be found.

It is further **ORDERED, ADJUDGED, and DECREED** that the service made by the above method shall not be deemed perfected unless it also complies with the following provisions:

- a) a copy of the citation, Original Petition and this Order shall be mailed by BOTH certified mail, return receipt requested, AND by regular mail to the Defendant at the same address at which service is authorized above;
- b) the return of service shall not be made until thirty (30) days after mailing or until the process server receives back the green card from the post office, whichever date is earlier;
- c) the return of service shall include a statement setting out the date of mailing and the result of the mailing by certified mail, and the date of mailing and result of same by regular mail (*i.e.*, whether the envelope was returned by the post office, the green card came back signed, etc.); and
- d) a copy of any envelope or green card returned by the post office shall be attached to the return of service.

It is further **ORDERED, ADJUDGED, and DECREED** that service of process will be deemed complete upon compliance with this ORDER, regardless of whether Defendant signs the certified mail receipt.

SIGNED _____, 2022.

Signed:
10/19/2022
6:32 PM



JUDGE PRESIDING

CAUSE NUMBER: 2022-59154

TEXAS ALLIANCE MEDICAL GROUP, PA
PLAINTIFF

VS.

IN THE 270TH JUDICIAL DISTRICT COURT OF
HARRIS COUNTY, TEXAS

ROY W. SMITH
DEFENDANT

AFFIDAVIT OF SERVICE PER ORDER AUTHORIZING SUBSTITUTE SERVICE

My name is **GERARDO ATILANO**. I am over the age of eighteen (18), I am not a party to this case, and have no interest in its outcome. I am in all ways competent to make this affidavit, and this affidavit is based on personal knowledge. The facts stated herein are true and correct. My business address is 1320 QUITMAN ST. STE 100, HOUSTON, HARRIS COUNTY, TX 77009, U.S.A.

On **Tuesday October 25, 2022 at 09:48 AM** - I received a CITATION, PLAINTIFF'S ORIGINAL PETITION, EXHIBIT A; EXHIBIT B; EXHIBIT C; ORDER ON MOTION FOR SUBSTITUTE SERVICED OF PROCESS for service on **ROY W. SMITH** at **2616 SOUTH LOOP WEST, SUITE 670, HOUSTON, TX 77054, USA**.

On **Wednesday October 26, 2022 at 03:30 P.M.**- The above named documents were sent to **ROY W. SMITH** at **2616 SOUTH LOOP WEST, SUITE 670, HOUSTON, TX 77054, USA** via Regular U.S. Mail and Certified Mail Return Receipt Requested. (9315 4699 0430 0100 8957 92)

On **Wednesday October 26, 2022 at 12:00 PM** - The above named documents were delivered to: **ROY W. SMITH @ 2616 SOUTH LOOP WEST, SUITE 670, HOUSTON, TX 77054, U.S.A.** by securely attaching the documents to the front entry per Texas Rules of Civil Procedure.

On **Monday November 28, 2022**- As of this date I have not received the envelope for the Certified Mail Return Receipt Requested nor have I received the Domestic Return Receipt from said mailing. As of this date the envelope sent via regular mail has not been returned to my office.

FURTHER AFFIANT SAYETH NOT

STATE OF TEXAS

DECLARATION

"My name is **GERARDO ATILANO**, my date of birth is 07/14/1976 my business address is **1320 QUITMAN STREET, HOUSTON, TX 77009**, and I declare under penalty of perjury that this affidavit is true and correct."

Executed in **Harris County, State of Texas on Monday November 28, 2022**



PSC#9589 EXP. 10/31/24

Declarant; Appointed in accordance with State Statutes.

2022.10.695541



Certificate Of Mailing

To pay fee, affix stamps or meter postage here

This Certificate of Mailing provides evidence that mail has been presented to USPS for mailing. This form may be used for domestic and international mail.

From:

Court Record Research Inc

PO Box 3796

Houston, TX 77253-3796



Postmark Here

To:

Roy W. Smith
2616 South Loop West , Suite 670
Houston, TX 77054