

UNITED STATES DISTRICT COURT

for the
Southern District of Texas



United States Courts
Southern District of Texas
FEB 2 2023

FEB - 2 2023

Nathan Ochsenr, Clerk of Court

_____ 4 _____ Division

Chemeka Alexander

Case No. _____

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Harris County Justice of the Peace Courts

Harris County Constable Precinct 3

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Chemeka N Alexander
Street Address	17112 Nulakewest Ct,
City and County	Houston, Harris
State and Zip Code	Texas, 77044
Telephone Number	832-896-9472
E-mail Address	chemeka.alexander.legal@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Defendant No. 1

Name Harris County Justice of the Peace Courts Precinct 3, Place 1
Job or Title *(if known)* Courthouse
Street Address 14350 Wallisville Rd.
City and County Houston,
State and Zip Code TX 77049-4145
Telephone Number 346-286-1750
E-mail Address *(if known)* denise_smith@jp.hctx.net

Defendant No. 2

Name Harris County Constable Precinct 3
Job or Title *(if known)* Constable
Street Address 904 Dell Dale St
City and County Channelview, Harris
State and Zip Code Texas 77530
Telephone Number 713-2742565
E-mail Address *(if known)* mandy.strother@cn3.hctx.net

Defendant No. 3

Name _____
Job or Title *(if known)* _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address *(if known)* _____

Defendant No. 4

Name _____
Job or Title *(if known)* _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address *(if known)* _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

- Federal question
- Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Violations of Due Process Clause of the First, Forth & Fifth Amendments to the United States Constitutions BILL OF RIGHTS, violations to an individual/deprivation(s) of the right to life, liberty, and/or property without due process of law
28 U.S.C sec.1331/Adminastrative Procedures Act 1946/ 42 U.S.C 1983/ Dceptive Trade Business

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

- b. If the defendant is a corporation
 The defendant, (name) _____, is incorporated under
 the laws of the State of (name) _____, and has its
 principal place of business in the State of (name) _____.
 Or is incorporated under the laws of (foreign nation) _____,
 and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:
 At stake is \$320,000, plus interest/costs of court because, Defendants HC Justice of the Peace Court issued a Writ of Possession of Plaintiffs property of which they lack jurisdiction to issue. Also \$320,000, not counting interest/costs of court; Defendants (HC Constable Precinct 3) forcefully seeks to execute a Writ of Possession from a court allegedly lacking jurisdiction: while knowing of jurisdictional violations/Deprivation of Plaintiffs Constitutional Rights & the civil action in a higher court with exclusive jurisdiction

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?
 The event occurred at 14350 Wallisville Rd at the Harris County Justice of the Peace Courts Precinct 3, Place 1. All sworn affidavits are listed under Judge Joe Stephens, case #223100360447.

The second event occurred with Harris County Constable Precinct 3 on my property at Lot 13, Block 2, Waters Edge Sec. 15, A subdivision in Harris County, Texas, according to the MAP or PLAT Therefore recorded in Film Code No.659214 of the map and /or Plat Records, Harris County, Texas

- B. What date and approximate time did the events giving rise to your claim(s) occur?

The event involving Harris County Justice of the Peace Courts Precinct 3, Place 1 occurred on November 2, 2022 at 9:00am

The event involving Harris County Constable Precinct 3 occurred December 27, 2022 at 10:51 am, January 23, 2023 and possibly scheduled February 3, 2023.

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)
 On November 2, 2022 Judge Joe Stephens employee of HCJustice of the Peace Courts Precinct 3-1, rendered judgement outside of the Justice of the Peace Courts jurisdiction after being informed of Plaintiff's sworn allegations of deed violations relating to Chapter 21A Business and Commerce Code. Plaintiff also informed the Judge that there was a Civil Action pending regarding the property. Without examination of sworn statement/affidavit or any authentication of evidence from the other party. The JP Court issued a Writ of Possession for the now Plaintiff's property. Wyatt Holtsclaw, attorney for party, Ryse Investments LLC & numerous people in the courtroom witnessed the judgement. I contacted a supervisor named Charlie of the JP Court on 12-15-22 to notify the court of jurisdictional concerns pertaining to Writ and was told, stopping the Writ was solely up to Harris County Constable Precinct 3. I therefore contacted the constables and sent various authenticated documents/laws as to the violations associated with executing the Writ of Possession, to no avail. I spoke attorney Nick Santulli & Cpt. Lewis.
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IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

No amount of money can repair the intentional wrongful, unlawful, and forced action experienced by Plaintiff's family that would be sustained from being deprived of her property that shields the Plaintiff's family from rain, extreme cold/heat conditions and outside world danger. Severe mental anguish, turmoil and depression has already been brought upon the Plaintiff's family as result of the violations and unlawful actions by these agencies. For the reasons listed earlier, along with the damage that would be sustained to the Plaintiff's property fixtures, injury would far out way any monetary damages awarded in the future. The violation of Plaintiff's intangibles will be severed permanently. The Plaintiff has appropriately followed all steps and measures of the judicial process and had exhausted all administrative process, options and procedures prior to appropriately filing Civil Action in the proper court of jurisdiction for justice and relief from her complaint. To forcefully remove the Plaintiff and her 2 daughters from the property would irreparably violate Plaintiff's God-Given, inalienable rights of Due Process. During times of inclement weather being forced to live in you car with 2 daughters is dangerous, harmful, ~~irreparable beyond measure and would be detrimental to the interest of the public.~~

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff request Prohibitory Injunctive Relief against Constable Precinct 3.. Plaintiff request a Stay of the Writ of Possession and Compels the court to have Defendants Harris County justice of the Peace Courts prove jurisdiction according to the Constitution on a point by point basis to be placed in the Court Record for examination. Plaintiff request courts award monetary damages to include interest, court cost and fees associated with the Plaintiff and the Plaintiffs children's missed time from work and business due to the forceful unwarranted demands and alleged Lack of Jurisdiction to Issue such Writ of Possession and to Execute such Writ of Possession against Plaintiff unlawfully and allegedly without personal or subject-matter jurisdiction.


VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk’s Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk’s Office may result in the dismissal of my case.

Date of signing: 02/02/2023

Signature of Plaintiff 
Printed Name of Plaintiff Chemeka Alexander

B. For Attorneys

Date of signing: _____

Signature of Attorney _____
Printed Name of Attorney _____
Bar Number _____
Name of Law Firm _____
Street Address _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____