

CAUSE NO. 202230803

**ENEDELIA FLORES,**  
*Plaintiff,*

v.

**BEST INVESTORS PROPERTIES, L.L.C.**  
**And JOSE CRUZ LOZOYA NORIS,**  
*Individually,*  
*Defendants.*

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IN THE DISTRICT COURT

11th JUDICIAL DISTRICT

OF HARRIS COUNTY, TEXAS

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**ORDER GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT**

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UPON CONSIDERATION OF *Plaintiff's Amended Motion for No-Answer Default Judgment* ("Motion") wherein Enedelia Flores ("Plaintiff") is Plaintiff, and Best investors Properties, LLC and Jose Cruz Lozoya Noris ("Defendants") are Defendants, the Court finds as follows:

Defendants although having been duly and legally cited to appear and answer, failed to appear and answer. Service of process was perfected upon Defendant. The citation return showing proof of service has been on file with this Court for at least ten (10) days excluding the date the *Motion* was filed and the date of judgment.

The Court has read the pleadings and the papers on file, and is of the opinion that Plaintiff's *Motion* should be, in all things, be GRANTED.

THE COURT FINDS TRUE AND ADMITTED that the allegations of Plaintiff's *Original Petition*, as they pertain to Defendant-Best investors Properties, LLC and Defendant Jose Cruz Lozoya Noris; and that there is good and sufficient evidence presented to the Court to FIND that Defendant Best investors Properties, LLC and Defendant Jose Cruz Lozoya Noris is are jointly and severally liable to Plaintiff; and that Plaintiff is entitled to a judgment in its favor

for Defendant Best investors Properties, LLC and Defendant Jose Cruz Lozoya Noris's violations of Tex. Bus. Comm. Code 27.01 *et sic*.

FURTHER, THE COURT FINDS that the Defendant Best investors Properties, LLC and Defendant Jose Cruz Lozoya Noris made a false representation to perform and act with the intention of not fulfilling it, to Plaintiff and Plaintiff relied on that act in entering into a contract.

FURTHER, THE COURT FINDS that the Defendant Best investors Properties, LLC and Defendant Jose Cruz Lozoya Noris had actual awareness of the falsity of a representation or promise, failed to disclose the falsity of the representation or promise to Plaintiff, and benefited from the false representation or promise.; that Plaintiff suffered financial injury, and/or mental anguish or emotional distress; and that the Defendants are liable to Plaintiff for exemplary damages pursuant to Tex. Bus. Comm. Code 27.01(d).

MOREOVER, THE COURT FINDS that Plaintiff has produced sufficient evidence to prove the causal nexus as required under the laws of the State of Texas.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Plaintiff have and recover from Defendant Best investors Properties, LLC and Defendant Jose Cruz Lozoya Noris, jointly and severally a judgment in the following amounts:

1. Economic damages in the amount of \$92,700.00;
2. Under Tex. Bus. Comm Code Tex. Bus. Comm. Code 27.01(d) exemplary damages in the amount of \$ 200,000.00 ;

IT IS FURTHER ORDERED that the total amount of the judgment here rendered will bear interest at the rate of five percent (6%) per annum from the date of judgment until paid against Defendant Best investors Properties, LLC and Defendant Jose Cruz Lozoya Noris,

All costs of court spent or incurred in this case are adjudged against Defendants. All writs and processes for the enforcement and collection of this judgment or the costs of court may issue as necessary. All relief requested in this case and not expressly granted is denied. This judgment is FINAL and appealable upon entry of final judgment resolving all claims and causes of action against Defendant Best investors Properties, LLC and Defendant Jose Cruz Lozoya Noris in this cause.

Signed on this the 27 day of March, 2023.

  
PRESIDING JUDGE

APPROVED AS TO FORM AND SUBSTANCE:

GUERRA DAYS LAW GROUP, PLLC

By: /s/ Eric Days

Ricardo Guerra

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