

## Cause No. 13-23-222-CV

*In The*  
*Court of Appeals*

FILED IN  
13th COURT OF APPEALS  
CORPUS CHRISTI/EDINBURG, TEXAS  
8/4/2023 9:35:32 AM

*For The*

KATHY S. MILLS  
Clerk

*Thirteenth Court of Appeals*  
*Corpus Christi, Texas*

LIVESAY LAW OFFICE

Appellant

V.

NEREIDA LOPEZ SINGLETERRY

Appellee

## MOTION FOR CONTEMPT

TO THE HONORABLE JUDGES OF SAID COURT:

NOW COMES **LIVESAY LAW OFFICE, Appellant** in the above styled and numbered cause, and files this its **MOTION FOR CONTEMPT**, and would respectfully show unto the Court as follows:

On or about June 15, 2023, this Court entered an order requiring the trial court, Hon. Fernando Mancias proceeding, to certify to this Court whether any party filed a written motion to seal the record, and if so,

conduct a proper hearing.

The deadline to file a supplemental clerk's record with this Court containing such findings was July 18, 2023.

To date, the trial court, the 93rd District Court, has refused to enter an order or make findings in blatant defiance of this Court's order.

On or about July 27, 2023, this Court ordered Zaira Dajlala Ricarte and/or Nereida Lopez Singleterry to respond to this Court whether a written motion to seal was filed. The deadline to respond was August 3, 2023 at 5:00 p.m.

Zaira Dajlala Ricarte and/or Nereida Lopez Singleterry failed to respond.

Contempt of court is defined as "disobedience to or disrespect of a court by acting in opposition to its authority." In re Mott, 137 S.W.3d 870, 874 (Tex. App.--Houston [1st Dist.] 2004, no pet.). Hon. Fernando Mancias, Zaira Dajlala Ricarte and Nereida Lopez Singleterry have clearly acted in disobedience to or disrespect of this Court. They have failed to comply with this Court to confirm what Appellant has been claiming, i.e. the not

motion to seal was filed.

Accordingly, Hon. Fernando Mancias, Zaira Dajlala Ricarte and Nereida Lopez Singleterry should be placed in jail until they certify to the truth. They would remain in jail until they complied with this Court's orders. They would carry the keys to their own jail cell. See, Shillitani v. United States, 384 U.S. 364, 86 S.Ct. 1531, 16 L.Ed.2d 622 (1966).

With regard to Judge Mancias and Nereida Lopez Singleterry, this Court's prior words ring true:

At the outset, we are mindful that those of us who have chosen careers in the legal profession and have been given the special privileges attendant thereto, have also assumed special obligations and duties to the profession, the courts and the judicial system. Each of us is an officer of the court in which we practice. It is axiomatic that the courts are the glue which holds our society together. If society does not have confidence in the fairness and impartiality of the court and its officers, then the very foundations of society are threatened. At the present time, when cynicism and skepticism of the integrity of the judicial system is expressed by much of society, we must look honestly at ourselves to ensure that the system is rightly entitled to the respect and honor to which we all aspire. In order to have the credibility to which the system is entitled, disrespect and violation of court orders by an officer

of the court must not be tolerated.

In re Cantu, 961 S.W.2d 482, 489-90 (Tex. App.--Corpus Christi 1997, no writ). Such words especially remain true today, and should not be tolerated by this Court today.

WHEREFORE, PREMISES CONSIDERED, **LIVESAY LAW OFFICE**, Movant in the above styled and numbered cause, respectfully prays Hon. Fernando Mancias, Zaira Dajlala Ricarte and Nereida Lopez Singleterry should be placed in jail until they complied with this Court's order, and for all other and further relief, either at law or in equity, to which Movant shows itself justly entitled.

Respectfully submitted,

**LIVESAY LAW OFFICE**

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/s/ KEITH C. LIVESAY

**KEITH C. LIVESAY**

State Bar No. 12437100

## **CERTIFICATE**

I, **KEITH C. LIVESAY**, do hereby certify that the factual statements contained herein are true and correct.

/s/ \_\_KEITH C. LIVESAY\_\_  
**KEITH C. LIVESAY**

## **CERTIFICATE OF CONFERENCE**

I, **KEITH C. LIVESAY**, do hereby that I have attempted to discuss this matter with Appellee/Counsel for Appellee and was unsuccessful.

/s/ \_\_KEITH C. LIVESAY\_\_  
**KEITH C. LIVESAY**

## **CERTIFICATE OF SERVICE**

I, **KEITH C. LIVESAY**, do hereby certify that I have caused to be delivered a true and correct copy of the above and foregoing document to be sent by regular mail, certified mail, and/or electronic delivery, to Appellee/Counsel for Appellee, Nereida Lopez Singleterry, 2001 West Nolana, Suite A, McAllen, Texas 78504 on this the 4th day of August, 2023.

/s/ KEITH C. LIVESAY  
**KEITH C. LIVESAY**

### Automated Certificate of eService

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