NO. <u>2022-45879</u>

KIRIOMI HILL, as one of the surviving	§	IN THE DISTRICT COURT
heirs-at-law of JAMES M. TURNER,	§	
deceased,	§	
Plaintiff,	§	
	§	
v.	§	
	§	
CALIBER HOME LOANS, INC. and	§	281st JUDICIAL DISTRICT
CALIBER HOME LOANS, is representing	§	
the Current Beneficiary/Mortgage under a	§	
servicing agreement with the Current	§	
Beneficiary/Mortgagee, its/their successors	§	
and/or assigns,	§	
	§	
Defendants.	§	OF HARRIS COUNTY, TEXAS

UNOPPOSED NOTICE OF NON-SUIT WITHOUT PREJUDICE

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Kiriomi Hill, as one of the surviving heirs-at-law of James M. Turner, deceased ("Plaintiff"), and hereby files this his Unopposed Notice of Non-Suit Without Prejudice, and hereby requests that this Court dismiss the above styled and numbered cause, without prejudice, and in support thereof respectfully shows unto the Court the following:

I.

UNOPPOSED NOTICE OF NON-SUIT WITHOUT PREJUDICE

1. Plaintiff has not requested issuance of citation and no service of citation has occurred, and no answer or appearance of any kind has been filed by the defendant in this cause.

2. Therefore, Plaintiff no longer desires to prosecute the above styled and numbered cause, and hereby requests that the Court non-suit this cause without prejudice to re-filing.

3. Plaintiff further requests that all costs of court and attorney's fees incurred be taxed against the party incurring the same.

WHEREFORE PREMSIES CONSIDERED, Plaintiff hereby requests that the Court

enter an Order of Non-Suit dismissing the above styled and numbered cause, without prejudice, with each party to bear his/her/its own fees and costs, and for such other and further relief, at law or in equity, to which Plaintiff may show himself justly entitled.

Respectfully submitted,

J. GANNON HELSTOWSKI LAW FIRM

/s/ John G. Helstowski

John G. Helstowski Texas Bar No. 24078653 5209 Heritage Ave, Suite 510 Colleyville, Texas 76034 Telephone: (817) 382-3125 Facsimile: (817) 382-1799 Email: jgh@jghfirm.com Attorney for Plaintiff

CERTIFICATE OF CONFERENCE

I hereby certify that prior to the filing of the foregoing *Plaintiff's Unopposed Notice of Non-Suit Without Prejudice*, I personally attempted to confer with the defendant, but since the defendant was not served with citation nor has the defendant filed any answer and since no counsel has appeared on behalf of the defendant, no conference could be completed, and therefore, no party has indicated that they are opposed and the matter is submitted to the Court for determination on the merits.

/s/ John G. Helstowski John G. Helstowski

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2022, a true and correct copy of the foregoing *Plaintiff's Unopposed Notice of Non-Suit Without Prejudice* was served upon all parties and counsel of record pursuant to Rule 21a of the Texas Rules of Civil Procedure.

/s/ John G. Helstowski

John G. Helstowski

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

John Helstowski Bar No. 24078653 jgh@jghfirm.com Envelope ID: 70404714 Status as of 11/22/2022 2:44 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
John GHelstowski		jgh@jghfirm.com	11/22/2022 1:08:29 PM	SENT