

CAUSE NO. 202351673

In Re: Order of Foreclosure	§	IN THE DISTRICT COURT
Concerning	§	
3010 BANDELL DR	§	
HOUSTON, TX 77045	§	
	§	
Under Tex. R. Civ. P. 736	§	
	§	HARRIS COUNTY, TEXAS
Petitioner: CITIMORTGAGE, INC.	§	
	§	
Respondent(s): MORGAN JERMAINE	§	
FONTENOT	§	234TH JUDICIAL DISTRICT

PETITIONER’S MOTION FOR DEFAULT

NOW COMES CITIMORTGAGE, INC. (“Petitioner”), its successors in interest or assigns, and respectfully request this Court sign a Default Home Equity Foreclosure Order and in support thereof would show the Court the following:

1. Petitioner is CITIMORTGAGE, INC. Respondent(s) is/are MORGAN JERMAINE FONTENOT.
2. Petitioner filed its Tex. R. Civ. P. 736 Application for Home Equity Foreclosure together with its supporting affidavit naming MORGAN JERMAINE FONTENOT as Respondent(s) therein.
3. Notices were properly served on Respondent(s) in accordance with Tex. R. Civ. P. 736.3 or Tex. R. Civ. P. 106. The return(s) of service for the Respondent(s) has/have been on file with this Court for at least ten days exclusive of the date of filing. As of the date of the filing of this motion, Respondent(s) has/have not filed an answer or appeared herein and is/are thus wholly in default.

4. All necessary conditions precedent to obtain a no personal liability *in rem* Home Equity Foreclosure Order by default in accordance with Tex. R. Civ. P. 736 have occurred. Petitioner has established the basis for foreclosure.

5. A Certificate of Last Known address is being filed contemporaneously with the filing of this Motion.

6. A Declaration of Military Status is being filed contemporaneously with the filing of this motion.

WHEREFORE, all conditions precedent being perfected, Petitioner requests that the Court sign a Default Home Equity Foreclosure Order as provided in Tex. R. Civ. P. 736.7-9.

Respectfully submitted,

BARRETT DAFFIN FRAPPIER
TURNER & ENGEL, LLP

By: /s/ James A. Frappier
James A. Frappier
AustinF@bdfgroup.com
State Bar No. 24116385
4004 Belt Line Road, Suite 100
Addison, Texas 75001
(972) 386-5040(Phone)
(972) 341-0734(Fax)

ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing document has been served upon the following this 20th day of September, 2023 pursuant to the Texas Rules of Civil Procedure:

VIA CM/RRR # 9414 7266 9904 2975 8888 93

AND Regular Mail

MORGAN JERMAINE FONTENOT
3010 BANDELL DR.
HOUSTON, TX 77045

/s/ James A. Frappier
James A. Frappier