

CAUSE NO. 2022-33414

PATRICK MACHALA,
Plaintiff,

v.

FINANCE OF AMERICA REVERSE,
LLC,

Defendant.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

11th JUDICIAL DISTRICT

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ORDER GRANTING DEFENDANT'S MOTION FOR FINAL SUMMARY JUDGMENT

On this day, the Court considered the Traditional and No-Evidence Motion for Final Summary Judgment (the "Motion") filed by Defendant and Counter-Plaintiff Finance of America Reverse LLC ("Defendant"). After careful consideration of the Motion and all competent summary judgment evidence, the Court is of the opinion that the Motion should be and hereby is **GRANTED**. It is therefore:

ORDERED, ADJUDGED, AND DECREED that:

1. This Order shall serve as an order of foreclosure of a loan under Section 50(k), Article XVI of the Texas Constitution.
2. The Deed of Trust recorded as Document No. RP-2017-465718 in the Official Public Records of Harris County, Texas, is a valid and subsisting lien against real property described therein and as follows:

LOT 32, BLOCK 9 OF FONDREN PARK, SECTION 3, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 119, PAGE 53 OF THE MAP AND/OR PLAT RECORDS OF HARRIS COUNTY, TEXAS (the "Property").
3. The Mortgage secured repayment of the Adjustable Rate Note Home Equity Conversion (the "Note") in favor of Defendant and executed by Plaintiff Patrick Machala ("Plaintiff").
4. Defendant is the current beneficiary and mortgagee of the Deed of Trust and owner and holder of the Note.

5. Plaintiff defaulted under the Note by failing to pay the amounts due and owing as and when due and failed to cure the default after notice and has failed to reinstate the Note after notice of acceleration.
6. Defendant is entitled to exercise the power-of-sale remedy under the Deed of Trust by noticing and conducting the foreclosure sale pursuant to Section 51.002 of the Texas Property Code and the Mortgage.
7. This an *In Rem* judgment only and not a personal judgment against Plaintiff.
8. Plaintiff shall take nothing as to all of Plaintiff's claims alleged against Defendant.
9. All costs are taxed against Plaintiff.
10. All relief not expressly granted is **DENIED**.
11. This is a final judgment that disposes of all claims alleged by and against all parties. This final judgment is immediately appealable.

SIGNED THIS June 12, 2023.



HARRIS COUNTY DISTRICT COURT JUDGE

ENTRY REQUESTED BY:

LOCKE LORD LLP

By: 

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