

Cause Number 202354391

Rene Guerron In the (check one):  
**Plaintiff** 11  District Court  
Court Number  County Court at Law  
v.  Justice Court (JP)  
ERICK BORLASCA Jr Harris County,  
**Defendant** Texas

### Defendant's Answer

**WARNING:** Talk to a lawyer **before** filling out this form. You may accidentally give up important legal rights if you file this form with the Court without first talking to a lawyer. For example, if you file an answer, you may be agreeing that the case can move forward in Texas. For help finding a lawyer, call your local lawyer referral service. If you do not have enough money to hire a lawyer to take your whole case, you can hire a lawyer just to give you advice and help you fill out this form. This is called Limited Scope Representation. You may also be able to talk to a lawyer for free at a legal advice clinic. For help finding a free legal advice clinic go to [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

**INSTRUCTIONS:** If you decide to use this Defendant's Answer form:

- Fill it out completely and sign it.
- File (turn in) your completed answer form at the Courthouse where the Petition was filed.
- It does not cost anything to file an answer.
- If you have been served, you have a limited time to file an answer. Counting from the day you were served, you have 20 days plus the following Monday, at 10 a.m. to file an answer. If you do not file an answer by the deadline, the Plaintiff can ask the court to enter a default judgment against you.
- Keep a copy of your answer for your records.
- Send a copy to the Plaintiff's lawyer or to the Plaintiff if they are not represented by a lawyer.
- Filing an answer usually means you have 30 days to exchange **Required Initial Disclosures**. Read more at [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

#### 1. Defendant's Information

My name is ERICK BORLASCA Jr. I am the Defendant in this Case.

The last three numbers of my driver's license number are 559 \_\_\_\_ \_\_\_\_\_. My driver's license was issued in (State) TX \_\_\_\_\_.

Or  I do not have a driver's license number.

The last three numbers of my social security number are 114 \_\_\_\_ \_\_\_\_\_.

Or  I do not have a social security number.

#### 2. General Denial ..... Texas Rules of Civil Procedure Rule 92

I enter a general denial.

I request notice of all hearings in this case.

### 3. Specific Pleas Made Under Penalty of Perjury

Read Texas Rules of Civil Procedure Rule 93 for a list of specific pleas that must be verified or made under penalty of perjury. Ask a lawyer which specific pleas apply to your case.

I make the following specific pleas under penalty of perjury:

### 4. Affirmative Defenses

Read Texas Rules of Civil Procedure Rule 94 for a list of affirmative defenses. Ask a lawyer which affirmative defenses apply to your case.

Note: An affirmative defense is an independent reason that the Plaintiff should not win the lawsuit. If an affirmative defense is successful, you could win the lawsuit, even if what the Plaintiff says is true. If you file an answer and do not claim an affirmative defense, you may forever give up that defense.

I claim the affirmative defenses checked below:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> accord and satisfaction            | <input type="checkbox"/> estoppel                 | <input checked="" type="checkbox"/> license     |
| <input type="checkbox"/> arbitration and award              | <input type="checkbox"/> failure of consideration | <input type="checkbox"/> release                |
| <input type="checkbox"/> assumption of risk                 | <input type="checkbox"/> fraud                    | <input type="checkbox"/> res judicata           |
| <input checked="" type="checkbox"/> contributory negligence | <input type="checkbox"/> illegality               | <input type="checkbox"/> statute of frauds      |
| <input type="checkbox"/> discharge in bankruptcy            | <input type="checkbox"/> injury to fellow servant | <input type="checkbox"/> statute of limitations |
| <input type="checkbox"/> duress                             | <input type="checkbox"/> laches                   | <input type="checkbox"/> waiver                 |
| <input type="checkbox"/>                                    |   |   |

Write any other details regarding payment of the debt here:

- I also claim these additional affirmative defenses:

Closing date on that contract is for the following date. And I did not own the property but had equitable interest. I had property under contract. There was a flood that happened and we agreed on a different property instead. Contract also shows 0 earnest money.

I reserve the right to file an Amended Defendant's Answer with the Court to plead additional verified pleas, affirmative defenses and claims, cross-claims, or third-party claims, as applicable, after further investigation and discovery.

### 5. Request for Judgment

I ask that Plaintiff take nothing from this lawsuit. I ask for costs of court. I ask for such other and further relief, at law or in equity, to which I may be justly entitled.

Respectfully submitted,

<u>/s ERICK BORLASCA Jr</u>		<u>9/14/2023</u>		
Defendant's Signature		Date		
<u>ERICK BORLASCA Jr</u>		<u>281-989-7001</u>		
Defendant's Printed Name		Phone		
<u>15307 Quiet Creek Dr Houston, TX 77095</u>				
Mailing Address		City	State	Zip
Email: <u>simplewealthinvestments@gmail.com</u>		Fax (if available)		

I understand that I must let the Court, the Plaintiff's lawyer (or the Plaintiff if the Plaintiff does not have a lawyer), and any other party or lawyer in this case know in writing if my mailing address or email address changes during this case. If I don't, any notices about this case will be sent to me at the mailing address or email address on this form.

### 6. Unsworn Declaration Made Under Penalty of Perjury

I make this unsworn declaration under penalty of perjury in place of verification as allowed by Texas Civil Practices and Remedies Code Section 132.001.

"Perjury" means making a false statement under oath, which is a crime, so everything in this Answer must be true.

My name is: ERICK BORLASCA Jr

My date of birth is: 5/14/1994

My address is: 15307 Quiet Creek Dr Houston TX 77095 USA

Street Address	City	State	Zip Code	Country
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I declare **under penalty of perjury** that: 1) I am the Defendant in this case, 2) I have read this Defendant's Answer, and 3) the statements in this Defendant's Answer are within my personal knowledge and are true and correct. I understand that it is a crime to lie on this form.

Formally signed **under penalty of perjury** in Harris County, TX,

County	State
--------	-------

on this date: 9/14/2023


Month	Day	Year
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/s ERICK BORLASCA Jr  
Defendant's Signature

**7. Certificate of Service**

I certify that a copy of this document was delivered to the Plaintiff's lawyer or the Plaintiff (if the Plaintiff does not have a lawyer) on the same day this document was filed with (turned in to) the Court as follows: (Check one.)

- through the electronic file manager if this document is being filed electronically
- by certified mail, return receipt requested
- by fax, to: \_\_\_\_\_
- by personal delivery
- by email to this email address: \_\_\_\_\_

 /s ERICK BORLASCA Jr 9/14/2023  
Defendant's Signature Date

### 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.

Envelope ID: 79558688

Filing Code Description: Answer/ Response / Waiver

Filing Description:

Status as of 9/14/2023 2:09 PM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Roshun Phipps		Roshun@pgfirm.net	9/14/2023 1:49:09 PM	SENT
Tina Fritsche		tfritsche@coatsrose.com	9/14/2023 1:49:09 PM	SENT
Nancy Hamren		nhamren@coatsrose.com	9/14/2023 1:49:09 PM	SENT
Steven Hamren		shamren@coatsrose.com	9/14/2023 1:49:09 PM	SENT
Ashley Brow		Ashley@pgfirm.net	9/14/2023 1:49:09 PM	SENT
Erik Garza		Erik@pgfirm.net	9/14/2023 1:49:09 PM	SENT