

CAUSE NO. 2022 68763

HOUSTON SECURED DEVELOPMENT PARTNERS, LLC	§ § §	IN THE DISTRICT COURT OF
V.	§	HARRIS COUNTY, TEXAS
HSDP BAM, LLC and JOSEPH JACKSON	§ §	151st JUDICIAL DISTRICT

**ORDER GRANTING PLAINTIFF'S MOTION FOR CONTEMPT
FOR DISOBEDIENCE OF INJUNCTION
AND ADMONISHMENT REGARDING TEMPORARY INJUNCTION**

On this day, came on to be heard the Motion for Contempt for Disobedience of Injunction filed by Plaintiff Houston Secured Development Partners, LLC, including the exhibits submitted with the motion, the testimony of Joseph Jackson and of Warren Muhammad, the pleadings on file in this case, and the arguments of counsel.

The Court finds that the October 21, 2022 Temporary Restraining Order issued in this case unambiguously required Defendant Joseph Jackson to “protect and preserve all assets of Houston Secured Development Partners, LLC” and that Jackson had the ability to comply with that order.

The Court further finds that on or about November 14, 2022 Defendant Joseph Jackson executed a General Warranty Deed causing Houston Secured Development Partners, LLC to convey the property located at 3327 Natchez, which was a willful and intentional violation of the October 21, 2022 Temporary Restraining Order.

The Court further finds that Defendant Joseph Jackson used the proceeds from the sale of 3327 Natchez to pay restitution under Cause No. 1758261 filed in the 177th District Court of Harris County, Texas in which Jackson was charged with felony theft, and did not deliver any of said proceeds to Houston Secured Development Partners, LLC.

The Court further finds that (1) its December 2, 2022 Temporary Injunction unambiguously prohibited Defendants Joseph Jackson and RL360 Funding, LLC from “selling, transferring, assigning, pledging, or conveying (by deed or otherwise) any HSDP Property without the express approval of DMI Securities, LLC or order of the Court;” that (2) the Temporary Injunction unambiguously defined “HSDP Property” to include a list of properties known to the Court and the parties at the time of entry, but contained no language limiting “HSDP Property” to that list; and (3) that the Defendants had the ability to comply with the Temporary Injunction.

The Court further finds that on or about May 15, 2023, Defendant Joseph Jackson executed a “Release of Lis Pendens” and an associated General Warranty Deed, in order to effect RL 360 Funding, LLC’s sale of the property located at 3333 Kilgore, in willful and intentional violation of the December 2, 2022 Temporary Injunction, and also in direct defiance and contravention of this Court’s April 24, 2023 Order denying Defendants’ Motion to Expunge Lis Pendens.

IT IS THEREFORE ORDERED that within seven (7) days of the date of this Order, as penalty for Defendants Joseph Jackson and RL 360 Funding LLC’s willful and intentional violations of this Court’s prior orders which obstruct the proper administration of justice, Defendants shall deposit the sum of \$380,000.00 into the registry of this Court to be invested in an interest-bearing account until a final judgment is entered in this case.

IT IS FURTHER ORDERED that Defendants Joseph Jackson and/or RL 360 Funding LLC, jointly and severally, shall pay ^{\$750.00} ~~\$1,500.00~~ to The Parsons Law Firm as costs incurred by Plaintiff in connection with this motion.

The Court further finds that Plaintiff continues to face probable, imminent, and irreparable injury prior to a final trial of this case, and hereby ADMONISHES the Defendants that its Temporary Injunction remains in full force and effect. In denying Defendants' Motion to Expunge Lis Pendens, this Court has already ruled that the Plaintiff's pleadings allege a direct interest in the real properties subject to lis pendens, and those property interests constitute "HSDP Property" that is protected from sale, transfer, assignment, pledge, or conveyance by the Temporary Injunction. Accordingly, this Order constitutes NOTICE to the Defendants that any further violations, or Defendants' failure to comply with any aspect of this Order, ~~shall~~^{may} be deemed to be in contempt of this Court^{after further notice, motion and oral hearing} and that Defendant Joseph Jackson ~~will~~^{may} be committed to jail, ~~without bail~~, until he purges himself of such contempt as this Court may direct.

SIGNED this _____ day of _____, 2023.

Signed: 
9/20/2023
PRESIDING JUDGE

APPROVED AND ENTRY REQUESTED:

By: 
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Shanna McClain on behalf of Mary Alice Parsons

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Filing Description: Order Granting Plaintiff's Motion for Contempt For Disobedience of Injunction and Admonishment Regarding Temporary Injunction

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