

NO. 13-22-00425-CV

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In the Court of Appeals for the  
Thirteenth Judicial District  
Corpus Christi, Texas

FILED IN  
COURT OF APPEALS  
CORPUS CHRISTI/EDINBURG, TEXAS  
12/27/2023 1:21:48 PM  
KATHY S. MILLS  
Clerk

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OCWEN LOAN SERVICING, LLC, HOMEWARD RESIDENTIAL, INC. (F/K/A  
AMERICAN HOME MORTGAGE SERVICING, INC.), AND DEUTSCHE BANK  
NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST MORTGAGE  
SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES  
2004-R8,

*Appellants,*

v.

CONSUELO JONES, GABRIELA JONES, & MARCC REAL ESTATE  
INVESTMENT, LLC,

*Appellees.*

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ON APPEAL FROM THE  
93<sup>RD</sup> JUDICIAL DISTRICT COURT, HIDALGO COUNTY, TEXAS

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**SECOND JOINT MOTION TO ABATE APPEAL**

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TO THE HONORABLE COURT OF APPEALS:

The Parties jointly file this motion to abate this appeal while the parties mediate the dispute in this matter. See TEX. R. APP. P. 42.1(a)(2)(C). The Parties respectfully show:

## I.

This appeal is currently abated pending mediation. Mediation was initially scheduled for December 22, 2023, but the client representative for Appellants came down with COVID-19 before the mediation, and the in-person session had to be rescheduled. The Parties are diligently working with the mediator to reschedule mediation for a mutually agreeable time.

## II.

In light of the delayed mediation, the Parties respectfully request that this appeal remain abated for an additional 60 days until mediation can take place. The Parties will notify the Court of the status of the dispute after mediation.

Dated: December 27, 2023

Respectfully submitted,

**DYKEMA GOSSETT PLLC**

*/s/ Christopher D. Kratovil*

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**Christopher D. Kratovil**

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***Counsel to Defendants Ocwen Loan Servicing, LLC, Homeward Residential, Inc., and Deutsche Bank National Trust Company, as trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-R8.***

/s/ Brandy Wingate Voss with permission

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***Counsel for Appellee MARCC Real  
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**CERTIFICATE OF CONFERENCE**

I hereby certify that I conferred with counsel for all parties, and all parties join in this motion.

*/s/ Christopher D. Kratovil*  
Christopher D. Kratovil

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record pursuant to the Texas Rules of Appellate Procedure on this the 27<sup>th</sup> day of December, 2023.

*/s/ Christopher D. Kratovil*  
Christopher D. Kratovil

## 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.

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Envelope ID: 82888427  
Filing Code Description: Motion  
Filing Description: Second Joint Motion to Abate Appeal  
Status as of 12/27/2023 2:07 PM CST

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jschmitt@dykema.com  
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