

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

MAR 06 2024

Nathan Ochsner, Clerk of Court

**PATSY E. CARMON and
KIMBERLEE E. CARMON**

Plaintiffs

V.

CIVIL CATION NO. 4:22-3534

**CARRINGTON MORTGAGE
SERVICES, LLC.**

Defendants

**PLAINTIFFS OBJECTION TO COURTS DENIAL
OF PLAINTIFFS MOTION TO E-FILE**

TO THE HONORABLE JUDGE ALFRED H. BENNETT:

COMES NOW, Pursuant to *Fed. R. Civ. P 46, Tex. R. of Prfl Conduct 3.02; 3.03 (a)*

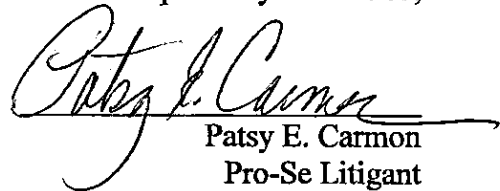
(2) Plaintiff(s) respectfully objects to this Court February 15, 2024 ORDER, denying the plaintiffs access to e-file:

1. Plaintiff contends that Courts recommendation will not provide an adequate solution to the issue, as Defendants have disobeyed 3 Orders of the Court in 3 separate jurisdictions, including this Court. Harris County 61 District Court, CFPB November 17, 2022 ORDER, and Temporary Injunction pending in this Court
2. Plaintiff has consented to e-filing son September 6, 2022, when the plaintiff has filed their case in state court, and began e-filing documents in state court.
3. ~~Defendants Attorney-e filed it's Carrington's Mortgage Services General Denial,~~ "Notice of Removal" on or about October 7, 2022, which plaintiffs received at the same email address.
4. It is not plaintiff's that have been inconsistent, it is the Defendants and their attorneys whom have been inconsistent, The failure to serve the Defendant

Motion to File A Extension, and it's Response caused severe prejudice to the plaintiffs. Plaintiffs have moved to strike, the defendant's response, and moved for default.

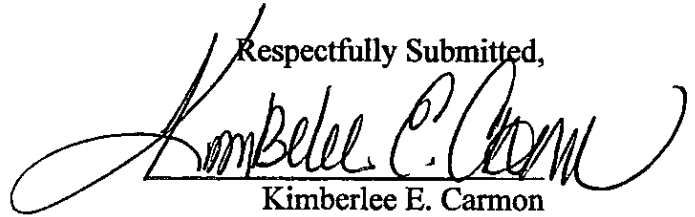
5. See EXHIBIT O-5, The Plaintiffs also contend the Defendants Attorneys did not serve to the plaintiff's its January 18, 2024 Response, in addition to filings not received, in plaintiffs January 13, 2024 Motion.
6. Plaintiff seek special exceptions, as plaintiffs have the burden of cost of mailing and postage, in addition to increased cost of litigation not planned for, pursuant to admissible evidence of defendants failure OBEY Court Orders that have unfairly, and improperly increased the cost of litigation for the plaintiff's, that plaintiffs are allowed access to CM/ECF, in order, not to cause even further prejudice to the plaintiff's case.
7. Plaintiff, again humbly ask, for permission, and approval from this Court, to gain immediate access to CM/ECF in order to electronically file, and receive documents by opposing counsel., as defendants have proven by their actions of selectively obeying Court Orders, that they will not comply, with all Court ORDERS, as required by the Court.

Respectfully Submitted,



Patsy E. Carmon
Pro-Se Litigant
13047 Sweetgum Shores
Houston, Texas 77044
(281) 454-5027
(713) 588-8747
kim.carmon@gmail.com

Respectfully Submitted,



Kimberlee E. Carmon
Pro-Se Litigant
13047 Sweetgum Shores
Houston, Texas 77044
(281) (706) 75-61
(713) 588-8747
kim.carmon@gmail.com

CERTIFICATE OF SERVICE

I herby certify that on the March 2, 2024, pursuant to the Federal of Civil Procedure, a true and correct copy of the above and forgoing was served by electronic mail, and certified mail number: 9589071052700999577016 to the following:

Bradley, Arant, Boult, Cummings LLP-

Gabriella E. Alonso

1445 Ross Ave. Suite 3600

Dallas, Texas 75202

galonso@bradley.com

CERTIFICATE OF SERVICE

I herby certify that on the March 2, 2024 pursuant to the Federal of Civil Procedure, a copy of the above and forgoing was served by email, as follows to the following:

John H. Patterson

Bradley Arant Boult Cummings LLP

jpatterson@bradley.com

1819 Fifth Avenue North

Birmingham, Alabama 35203-2104

EXHIBIT O-5



Kimberlee Carmon <kim.carmon@gmail.com>

Carmon et al v. Carrington Mortgage Services, LLC (Doc# 31, S.D. Tex. 4:22-cv-03534)

Patterson, Jon <jpatterson@bradley.com>

Wed, Jan 31, 2024 at 1:57 PM

To: Kimberlee Carmon <kim.carmon@gmail.com>

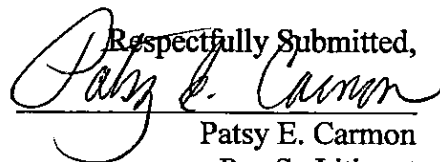
Cc: "Alonso, Gabriella" <galonso@bradley.com>, "Dasrath, Nandita" <ndasrath@bradley.com>,

"CARMONPATSY7@gmail.com" <CARMONPATSY7@gmail.com>, "Patterson, Jon" <jpatterson@bradley.com>

Kim –

There is no certified mail receipt, nor does the certificate of service indicate that it was sent certified mail. As I set out below, it was an oversight and it was inadvertent that it was not sent via regular mail or via e-mail.

[Quoted text hidden]

Respectfully Submitted,


Patsy E. Carmon
Pro-Se Litigant
13047 Sweetgum Shores
Houston, Texas 77044
(281) 454-5027
(713) 588-8747
kim.carmon@gmail.com

Respectfully Submitted,


Kimberlee E. Carmon

Pro-Se Litigant
13047 Sweetgum Shores
Houston, Texas 77044
(281) (706) 75-61
(713) 588-8747
kim.carmon@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on the March 2, 2024 pursuant to the Federal of Civil Procedure, a true and correct copy of the above and forgoing was served by electronic mail, and certified mail number: to the following:

Bradley, Arant, Boult, Cummings LLP-

Gabriella E. Alonso

1445 Ross Ave. Suite 3600

Dallas, Texas 75202

galonso@bradley.com

CERTIFICATE OF SERVICE

I herby certify that on the March 2, 2024, pursuant to the Federal of Civil Procedure, a copy of the above and forgoing was served by email, as follows to the following:

John H. Patterson

Bradley Arant Boult Cummings LLP

jpatterson@bradley.com

1819 Fifth Avenue North

Birmingham, Alabama 35203-2104

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

§

**PATSY E. CARMON and
KIMBERLEE E. CARMON**

Plaintiffs

V.

CIVIL CATION NO. 4:22-3534

**CARRINGTON MORTGAGE
SERVICES, LLC.**

Defendants

ORDER

On this date came for consideration, Plaintiff's **MOTION TO EFILE**, in the above-entitled and numbered case.

The Court having considered Plaintiff's motion is of the opinion that the said motion be and is hereby **GRANTED**.

IT IS THEREFORE ORDERED, that the Plaintiffs be granted access to CM/ECF in order to communicate with this Court, and file and receive document electronically.

SIGNED and ENTERED this _____ day of _____, 2024

Date

JUDGE PRESIDING