

1021 P.9

CPC

RECEIPT NUMBER 975644 75.00
TRACKING NUMBER 74227575 CO1

CAUSE NUMBER 202364102

PLAINTIFF: OCC REAL ESTATE INVESTMENTS LLC
vs.
DEFENDANT: PT-PATRIOT TITLE LLC
In The 295th
Judicial District Court of
Harris County, Texas

CITATION CORPORATE

THE STATE OF TEXAS
County of Harris

TO: PT-PATRIOT TITLE LLC (A LOUISIANA CORPORATION) BY SERVING ITS
REGISTERED AGENT REGINALDO VILLALON
5225 KATY FREEWAY SUITE 510 HOUSTON TX 77007
Attached is a copy of PLAINTIFF'S ORIGINAL PETITION.

SEP 22 AM 9:15

This instrument was filed on the 20th day of September, 2023, in the
above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the
District Clerk who issued this citation by 10:00 a.m on the Monday next following the expiration of 20 days after you were
served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk,
you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later
than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

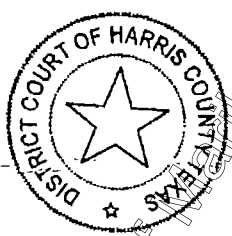
TO OFFICER SERVING:

This Citation was issued under my hand and seal of said Court, at Houston, Texas, this 21st day of
September, 2023.

FILED
Marilyn Burgess
District Clerk

Time: OCT 13 2023
By: [Signature] Harris County, Texas
Mail Processing Clerk

Issued at request of:
KRUCKEMEYER, ROBERT JOSEPH
244 MALONE STREET
HOUSTON, TX 77007
TEL: (713) 600-3473
Bar Number: 11735700



MARILYN BURGESS, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
(P.O. Box 4651, Houston, Texas 77210)

10-13-23

Generated by: CHAMBERS, WANDA ULW//12383523

OFFICER/AUTHORIZED PERSON RETURN

I received this citation on the _____ day of _____, 20____, at _____ o'clock ____M., endorsed
the date of delivery thereon, and executed it at _____ (STREET ADDRESS) _____ (CITY)
in _____ County, Texas on the _____ day of _____, 20____, at _____ o'clock ____M.,
by delivering to _____ (THE DEFENDANT CORPORATION NAMED IN CITATION), by delivering to its
_____, in person, whose name is _____ (REGISTERED AGENT, PRESIDENT, or VICE-PRESIDENT)
a true copy of this citation, with a copy of the _____ Petition attached,
(DESCRIPTION OF PETITION, E.G., "PLAINTIFFS ORIGINAL")
and with accompanying copies of _____ (ADDITIONAL DOCUMENTS, IF ANY, DELIVERED WITH THE PETITION)

I certify that the facts stated in this return are true by my signature below on the _____ day of _____, 20____.

FEE: \$ _____

By: _____ (SIGNATURE OF OFFICER)

Printed Name: _____

Affiant Other Than Officer

As Deputy for: _____ (PRINTED NAME & TITLE OF SHERIFF OR CONSTABLE)

On this day, _____, known to me to be the person whose signature
appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was
executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____, 20____

Notary Public

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging

RECEIPT NUMBER 975644 75.00
TRACKING NUMBER 74227575 CO1

CAUSE NUMBER 202364102

PLAINTIFF: OCC REAL ESTATE INVESTMENTS LLC
vs.
DEFENDANT: PT-PATRIOT TITLE LLC

In The 295th
Judicial District Court of
Harris County, Texas

CITATION CORPORATE

THE STATE OF TEXAS
County of Harris

TO: PT-PATRIOT TITLE LLC (A LOUISIANA CORPORATION) BY SERVING ITS
REGISTERED AGENT REGINALDO VILLALON

5225 KATY FREEWAY SUITE 510 HOUSTON TX 77007

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION.

Delivery this _____ day of _____, 20____
By ALAN ROSEN, Constable
Precinct #1, Harris County

This instrument was filed on the 20th day of _____ September _____, 20____ 23____, in the
above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the
District Clerk who issued this citation by 10:00 a.m on the Monday next following the expiration of 20 days after you were
served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk,
you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later
than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

TO OFFICER SERVING:

This Citation was issued under my hand and seal of said Court, at Houston, Texas, this 21st day of
September, 20____ 23____.



Issued at request of:
KRUCKEMEYER, ROBERT JOSEPH
244 MALONE STREET
HOUSTON, TX 77007
TEL: (713) 600-3473
Bar Number: 11735700

Marilyn Burgess
MARILYN BURGESS, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
(P.O. Box 4651, Houston, Texas 77210)

FILED
Marilyn Burgess
District Clerk
Time: OCT 13 2023
By: [Signature]
Harris County, Texas
Mail Processing Clerk

Generated by: CHAMBERS, WANDA ULW//12383523

OFFICER/AUTHORIZED PERSON RETURN

I received this citation on the _____ day of _____, 20____, at _____ o'clock ____M., endorsed
the date of delivery thereon, and executed it at _____ (STREET ADDRESS) _____ (CITY)

in _____ County, Texas on the _____ day of _____, 20____, at _____ o'clock ____M.,

by delivering to _____ (THE DEFENDANT CORPORATION NAMED IN CITATION), by delivering to its

_____, in person, whose name is _____ (REGISTERED AGENT, PRESIDENT, or VICE-PRESIDENT)

a true copy of this citation, with a copy of the _____ Petition attached, (DESCRIPTION OF PETITION, E.G., "PLAINTIFFS ORIGINAL")

and with accompanying copies of _____ (ADDITIONAL DOCUMENTS, IF ANY, DELIVERED WITH THE PETITION)

I certify that the facts stated in this return are true by my signature below on the _____ day of _____, 20____.

FEE: \$ _____

By: _____ (SIGNATURE OF OFFICER)

Printed Name: _____

Affiant Other Than Officer

As Deputy for: _____ (PRINTED NAME & TITLE OF SHERIFF OR CONSTABLE)

On this day, _____, known to me to be the person whose signature
appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was
executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____, 20____

Notary Public

Constable Return of Corporation

Cause #: 202364102

Tracking #: 74227575

In the case of OCC REAL ESTATE INVESTMENTS LLC VS PT-PATRIOT TITLE LLC a CITATION and attached PLAINTIFF'S ORIGINAL PETITION was issued by the 295th Judicial District court of HARRIS County, and came to hand on the 22 day of September, 2023 at 11:34AM to be delivered at 5225 KATY FWY SUITE 510, HOUSTON, Tx 77007 by delivering to: PT-PATRIOT TITLE LLC (A LOUISIANA CORPORATION) BY SERVING ITS REGISTERED AGENT REGINALDO VILALON

Attempted Service

(Attempted service at 5225 KATY FWY SUITE 510 unless otherwise noted.)

Date	Time	Deputy Name	Agency	Service Attempt Type	Address Attempted	Remarks
10/11/2023	4:33:05 PM	JAMES TOWNLEY	1	RTC UNSERVED	5225 KATY FWY SUITE 510 HOUSTON Tx 77007	RTC PER ATTORNEY ROBERT KRUCKEMEYER.
10/10/2023	3:36:00 PM	JAMES TOWNLEY	1	PHONE CALL / EMAIL	5225 KATY FWY SUITE 510 HOUSTON Tx 77007	RECEIVED A CALL FROM ATTORNEY ROBERT KRUCKEMEYER WHO ADVISED ME TO RETURN THE CITATION TO COURT.
10/10/2023	1:35:45 PM	JAMES TOWNLEY	1	PHONE CALL / EMAIL	5225 KATY FWY SUITE 510 HOUSTON Tx 77007	CALLED THE PLAINTIFF. NO ANSWER. LEFT A MESSAGE REQUESTING A CALL BACK.
10/10/2023	1:32:00 PM	JAMES TOWNLEY	1	BAD ADDRESS	5225 KATY FWY SUITE 510 HOUSTON Tx 77007	THE DOOR IS LOCK AND THE OFFICE IS DARK. THERE IS A LOCK ON THE DOOR KNOB, AND A NOTICE ON THE DOOR ADVISING THE TENANT IS LOCKED OUT.
10/2/2023	2:05:15 PM	JAMES TOWNLEY	1	PHONE CALL / EMAIL	5225 KATY FWY SUITE 510 HOUSTON Tx 77007	RECEIVED A CALL FROM THE PLAINTIFF WHO ASKED IF I COULD TRY AGAIN THIS FRIDAY TO SEE IF THEY ARE STILL LOCKED OUT, THEN CALL HIM.
10/2/2023	1:29:02 PM	JAMES TOWNLEY	1	PHONE CALL / EMAIL	5225 KATY FWY SUITE 510 HOUSTON Tx 77007	CALLED THE PLAINTIFF AT 713-600-3473. NO ANSWER, I WAS FORWARDED TO THE PLAINTIFF'S VOICE MAIL. I ADVISED HIM OF WHAT I HAD FOUND, AND REQUESTED A CALL BACK.

Constable Return of Corporation

Cause #: 202364102

Tracking #: 74227575


10/2/2023	1:19:00 PM	JAMES TOWNLEY	1	BAD ADDRESS	5225 KATY FWY SUITE 510 HOUSTON TX 77007	THIS MAY BE A BAD ADDRESS. THERE IS NO NAME ON THE DOOR OR THE DIRECTORY ON THE FIRST FLOOR FOR THIS COMPANY. THERE IS A NOTICE ON THE DOOR ADVISING THE TENANT HAS BEEN LOCKED OUT, AND WHERE TO OBTAIN A KEY. THE DOOR HANDLE HAS A LOCK ON IT.
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NOT EXECUTED to the defendant: PT-PATRIOT TITLE LLC (A LOUISIANA CORPORATION) BY SERVING ITS REGISTERED AGENT REGINALDO VILLALON

The information received as to the whereabouts of the said defendant(s) being:

Fee Due \$ 0.00

by Deputy JAMES TOWNLEY - 1C21
Printed

Deputy Signature 

Attempts: _____
Total Attempts: 7

Alan Rosen , Constable Precinct #1
Harris County Texas
1302 Preston, 3rd Floor
Houston Texas 77002
713.755.5200

Unofficial Copy Office of Marilyn Burgess District Clerk

2023-64102 / Court: 295

CAUSE NO. _____

OCC REAL ESTATE INVESTMENTS, LLC,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
vs.	§	HARRIS COUNTY, TEXAS
	§	
PT-PATRIOT TITLE, LLC,	§	
	§	
Defendant.	§	____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

Plaintiff, OCC REAL ESTATE INVESTMENTS, LLC ("OCC"), complains of Defendant, PT-PATRIOT TITLE, LLC ("PATRIOT"), as follows:

Discovery Control Plan

1. In accordance with Rule 190.1 of the Texas Rules of Civil Procedure, discovery is intended to be conducted under Level 2 of Rule 190.

Parties

2. OCC REAL ESTATE INVESTMENTS, LLC is a Texas limited liability company transacting business in Harris County, Texas.

3. PT-Patriot Title, LLC is a Louisiana corporation which may be served with process by serving its registered agent, Reginaldo Villalon, 5225 Katy Freeway, Suite 510, Houston, Texas 77007, or wherever he may be found.

Venue

4. Venue is proper in Harris County, Texas pursuant to §15.002(a)(1) of the Texas Civil Practice and Remedies Code (the "Code") because it is the county in which all or a substantial part of the events or omissions giving rise to the claim occurred.

Rule 47

5. This is a suit for breach of contract. The damages sought in this lawsuit are within the jurisdictional limits of the Court. Plaintiff, OCC, seeks monetary relief over \$250,000 but not more than \$1,000,000. TEX. R. CIV. P. 47(c)(3).

Factual Background

6. By Lease Agreement (the "Lease") dated September 16, 2020, by and between OCC, as Landlord, and Patriot, as Tenant, commercial premises consisting of approximately 4,213 rentable square feet, known as Suites 500, 510 and 600, located in the building commonly known as Lakewood Retail Center whose address is 21901 S.H. 249, Houston, Texas 77070 (the "Premises"). The term of the Lease is to expire October 31, 2026.

7. By virtue of the Lease, Patriot took possession of the Premises.

8. Patriot has committed an Event of Default under the Lease by failing to pay rent and other expenses as and when due under the Lease. Moreover, despite demand, Patriot has failed and refused to pay all monies due and owing under the Lease, including rentals for November 2017, December 2017, and January 2018, as well as other sums. OCC has fully complied with all of its Lease obligations.

9. Because of Patriot's failure to pay rent and other expenses when due under the Lease, OCC terminated Patriot's right to possess the Premises without terminating the Lease. OCC locked Patriot out of the Premises on May 5, 2023. OCC asserted its landlord's lien on various goods remaining in the Premises. Sometime in the early morning hours of May 21, 2023, the Premises were broken into and all items of value were taken from the Premises. The Premises were damaged by the actions of the thieves.

Suit to Enforce the Lease

9. OCC hereby sues Patriot for those sums due and owing under the Lease. Damages sought are within the jurisdictional limits of the Court.

Legal Fees

10. Pursuant to the Lease and Chapter 38 of the Texas Civil Practice and Remedies Code, OCC seeks the recovery of its reasonable and necessary attorneys' fees incurred in this lawsuit.

11. OCC hereby designates the undersigned attorney, Robert J. Kruckemeyer, as its expert to testify as to reasonable and necessary attorneys' fees incurred by OCC in the preparation and trial of this lawsuit.

Condition Precedent

12. All conditions precedent necessary to maintain this action have been performed, have been waived, or have occurred.

Relief Requested

WHEREFORE, Plaintiff, OCC REAL ESTATE INVESTMENTS, LLC, prays that Defendant, PT-PATRIOT TITLE, LLC, be cited to appear and answer herein, and that upon final trial, OCC REAL ESTATE INVESTMENTS, LLC, be awarded judgment against Defendant for the following:

- (a) All amounts due and owing under the Lease (said damages which are within the jurisdictional limits of the Court);
- (b) Pre-judgment interest at the highest rate allowed by law or by the Lease;
- (c) Reasonable and necessary attorneys' fees;
- (d) Post-judgment interest on all of the above-referenced amounts at the highest rate allowed by law or by the Lease;

- (e) Costs of suit; and
- (f) Such other and further relief to which OCC REAL ESTATE INVESTMENTS, LLC may show itself justly entitled.

Respectfully submitted,

THE KRUCKEMEYER LAW FIRM

By: /s/ Robert J. Kruckemeyer

Robert J. Kruckemeyer
State Bar No. 11735700
bob@kruckemeylaw.com
244 Malone Street
Houston, Texas 77007
(713) 600-3473

ATTORNEYS FOR PLAINTIFF

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.

Robert Kruckemeyer on behalf of Robert Kruckemeyer
Bar No. 11735700
bob@kruckemeyerlaw.com
Envelope ID: 79773148
Filing Code Description: Petition
Filing Description: Petition
Status as of 9/20/2023 4:32 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Michael ThomasKruckemeyer		mike@kruckemeyerlaw.com	9/20/2023 4:30:25 PM	SENT
Robert JosephKruckemeyer		bob@kruckemeyerlaw.com	9/20/2023 4:30:25 PM	SENT

Unofficial Copy Office of Marilyn Burges, District Clerk