

CAUSE NO. 2023-88866

THE STATE OF TEXAS and HARRIS  
COUNTY, TEXAS

*Plaintiffs,*

v.

PT-PATRIOT TITLE, LLC and RACHEL  
LUNA

*Defendants.*

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

269<sup>th</sup> JUDICIAL DISTRICT

**PLAINTIFFS' MOTION FOR NO-ANSWER PARTIAL DEFAULT JUDGMENT  
AGAINST PT-PATRIOT TITLE, LLC AS TO LIABILITY**

Plaintiffs State of Texas and Harris County, Texas (collectively, "Plaintiffs"), ask the Court to enter a No-Answer Partial Default Judgment on Plaintiffs' claims against Defendant PT-Patriot Title LLC ("Patriot Title" or "Defendant") and in support would respectfully show the Court the following:

**FACTUAL BACKGROUND**

1. Patriot Title is a company that offers title and escrow services.
2. Plaintiffs brought claims against Patriot Title for (1) violating the Texas Deceptive Trade Practices Act and (2) committing Statutory Fraud in Real Estate Transactions under Tex. Bus. & Comm. Code § 27.01.
3. Patriot Title is a Texas Limited Liability Company with its principal business address located at 5225 Katy Frwy, Suite 510 Houston, Texas 77007. Service of process was completed on Patriot Title on February 20, 2024 by delivering a copy of Plaintiffs' lawsuit to Patriot Title's Registered Agent, Reginaldo Villalon, via personal service. Proof of service on Patriot Title is attached as **Exhibit A** and incorporated by reference herein.

4. The citation and proof of service have been on file with the Court for at least ten (10) days before this Motion for default was filed, excluding the date of filing and today's date. The deadline for Patriot Title to answer or otherwise respond was March 18, 2024. As of the date of this filing, Patriot Title has not filed an answer or any other pleading constituting an answer or appearance in this matter.

5. Patriot Title's last known address is 5225 Katy Frwy, Suite 510, Houston, Texas 77007. Patriot Title Registered Agent Reginaldo Villalon's last known address is 8866 Gulf Freeway, Suite 211, Houston, Texas 77017 and his email address is [ReginaldoVillalon@yahoo.com](mailto:ReginaldoVillalon@yahoo.com). A true and correct copy of the certificate of last known address of Patriot Title, as well as that of its registered agent Reginaldo Villalon, is attached hereto as **Exhibit B** and incorporated herein by reference.

6. Patriot Title is a Texas Limited Liability Company and thus ineligible for service in any branch of the United States Military. Patriot Title Registered Agent Reginaldo Villalon is not a member of the United States military. Attached hereto as **Exhibit C** is an affidavit regarding Villalon's non-military status.

#### **LIABILITY**

7. The time for Patriot Title to answer or otherwise to respond to Plaintiffs' lawsuit has passed, and it has defaulted. Accordingly, Patriot Title has admitted all facts set forth in Plaintiffs' Original Petition.

8. At any time after the appearance deadline, a Plaintiff may take judgment by default against any defendant who has not filed an answer in the lawsuit. Tex. R. Civ. P. 239.

9. As such Plaintiffs are entitled to a default judgment against Patriot Title as to their liability on Plaintiffs' claims against Patriot Title for (1) violating the Texas Deceptive Trade

Practices Act and (2) committing Statutory Fraud in Real Estate Transactions under Tex. Bus. & Comm. Code § 27.01.

10. Rachel Luna, the other Defendant in this lawsuit, was served with process by personal service, after many attempts and hours of surveillance, on May 6, 2024. Her Answer is due by 10:00 am on May 28, 2024.

11. By reviewing publicly available documents and complaints that have come in through its portal for complaints of fraudulent conduct against Defendants, Plaintiffs have discovered numerous cases where Defendants have defrauded members of the community. Only after they have had an opportunity to undertake discovery regarding both Defendants (including, critically here, third-party discovery) can Plaintiffs fully capture the true scope of the civil penalties, permanent injunction, and other relief that should be awarded to Plaintiffs. Plaintiffs will return to the Court at a future date to seek those

12. Accordingly, at this juncture, Plaintiffs seek a default judgment against Patriot Title as to liability with the intent to return to Court at a later date to seek an appropriate, and complete, remedy.

**PRAYER**

WHEREFORE, PREMISES CONSIDEREDED, Plaintiffs respectfully pray that the Court grant the relief requested herein and enter a No-Answer Partial Default Judgment as to Liability against Defendant PT-Patriot Title, LLC.

Respectfully submitted,

/s/ Neal A. Sarkar

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**ATTORNEYS FOR PLAINTIFFS**

### **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was served to all parties via CMRRR on this the 15<sup>th</sup> day of May, 2024.

PT-Patriot Title, LLC  
5225 Katy Freeway, Suite 510  
Houston, Texas 77007

Rachel Luna  
16022 Kube Court  
Jersey Village, Texas 77040

I also certify that a true and correct copy of the foregoing document was served on PT-Patriot Title's Registered Agent via CMRRR and email on this the 15<sup>th</sup> day of May, 2024.

Reginaldo P. Villalon  
8866 Gulf Freeway, Suite 211  
Houston, Texas 77017

[ReginaldoVillalon@yahoo.com](mailto:ReginaldoVillalon@yahoo.com)

/s/Neal Sarkar

Neal Sarkar

### Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing 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.

Andrea Mintzer on behalf of Neal Sarkar

Bar No. 24093106

andrea.mintzer@harriscountytexas.gov

Envelope ID: 87789411

Filing Code Description: Motion (No Fee)

Filing Description: Plaintiffs' Motion for No-Answer Partial Default

Judgment Against PT-Patriot Title, LLC As To Liability

Status as of 5/15/2024 4:46 PM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Jonathan Fombonne		jonathan.fombonne@harriscountytexas.gov	5/15/2024 4:39:48 PM	SENT
Neal Sarkar		Neal.Sarkar@harriscountytexas.gov	5/15/2024 4:39:48 PM	SENT
Kevin Markowski		Kevin.Markowski@harriscountytexas.gov	5/15/2024 4:39:48 PM	SENT
Andrea Mintzer		andrea.mintzer@harriscountytexas.gov	5/15/2024 4:39:48 PM	SENT

Unofficial Copy Office of Mainwaring E-Justice District Clerk