

CASE NO. 2024-21712

DEUTSCHE BANK NATIONAL § IN THE DISTRICT COURT
TRUST COMPANY, AS TRUSTEE, IN §
TRUST FOR REGISTERED HOLDERS §
OF WAMU ASSET-BACKED §
CERTIFICATES WAMU SERIES 2007- §
HE1 TRUST § 190TH JUDICIAL DISTRICT
VS. §
CAROL R. ANTHONY a/k/a CAROL §
RENEE ANTHONY § HARRIS COUNTY, TEXAS

ANSWER AND RESPONSE TO PETITIONER'S APPLICATION FOR AN EXPEDITED ORDER OF FORECLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Respondent CAROL R. ANTHONY ("Respondent"), by and through her attorney, and files this Response to Petitioner's Application for an Expedited Foreclosure in the above styled and numbered cause. Respondent would respectfully show the Court the following:

I. General Denial and Defenses

1. Respondent admits she is an owner of the property that is the subject of this suit, which is her homestead.
2. Pursuant to Tex. R. Civ. P. 736.5(c), Respondent generally denies each and every allegation in the Petition filed by Plaintiff and demands that Plaintiff provide strict proof thereof.
3. Without waiving the foregoing general denial, Respondent files this response pursuant to Tex R. Civ. P. 736.5(c)(2) and asserts numerous defenses under Texas Constitution Article XVI § 50(a)(6). Pursuant to Tex. R. Civ. P. 736.6, Respondent demands that Petitioner prove by affidavits on file, or evidence presented, the grounds for granting the order sought in the

application, including evidence to overcome Respondent's affirmative defenses plead under Texas Constitution Article XVI § 50(a)(6).

3. The claims asserted against Defendant are barred in whole, because Plaintiff violated Texas Constitution Article XVI, § 50(a)(6) on its face. As such, the subject lien and security agreement are void.

4. The claims asserted against Defendant are barred in whole or in part by the doctrine of illegality.

5. Plaintiff failed to provide all notices required under the Deed of Trust and State law.

6. The claims asserted against Respondent are barred in whole or in part by the doctrine of estoppel.

7. Respondent raises all defenses provided in Tex R. Civ. P. 736.5(c).

II. Prayer

WHEREFORE, premises considered, Respondent prays this Court deny Petitioner's Application for an Expedited Order of Foreclosure. Respondent further prays that this Court grant her all relief at law and in equity to which she may be entitled.

Respectfully submitted,

LONE STAR LEGAL AID

/s/ Andrew Moore

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served pursuant to Rules 21 and 21a of the Texas Rules of Civil Procedure, by facsimile, e-mail, certified mail, return receipt requested and/or first-class mail, on this the 23rd day of May 2024 to:

Ronny George
13105 Northwest Freeway, Suite 960
Houston, TX 77040
Via E-service: TXHomeEquity@logs.com
ATTORNEY FOR APPLICANT

/s/ Andrew Moore
Andrew Moore
Attorney for Respondent,
Carol Anthony

Unofficial Copy Office of Marilyn Burgess District Clerk

Automated Certificate of eService

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Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Ronny George		rgeorge@logs.com	5/23/2024 2:46:57 PM	SENT

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