

CAUSE NO. 2024-13928

ALEJANDRO DEL VALLE DE LA VEGA,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	157 <sup>TH</sup> JUDICIAL DISTRICT
	§	
INDEPENDENT BANK,	§	
	§	
Defendant.	§	HARRIS COUNTY, TEXAS

**MOTION TO WITHDRAW AS COUNSEL**

COME NOW Branch M. Sheppard and Annarose M. Harding and the law firm of Galloway, Johnson, Tompkins, Burr & Smith, A PLC (collectively, “Movants”), and file this Motion to Withdraw as Counsel for Plaintiff Alejandro Del Valle De La Vega (“Plaintiff”), and respectfully show the Court as follows:

1. Branch M. Sheppard and Annarose M. Harding are counsel of record for Plaintiff in the above-entitled and numbered action and ask this Court to allow their withdrawal. This Motion also encompasses any other attorney employed by Galloway, Johnson, Tompkins, Burr & Smith, A PLC.

2. Pursuant to Tex. R. Civ. P. 10, withdrawing counsel delivered a copy of this motion to Plaintiff at his last known address of 50 South Fremont Ridge Loop, The Woodlands, Texas 77389 (the “Property”), and withdrawing counsel hereby notifies Plaintiff in writing of his right to object to this motion. There are presently no important dates and deadlines in this case. Withdrawing counsel has not had any communication with Plaintiff since the Court granted the Temporary Restraining Order in this case, and withdrawing counsel is not aware how to find Plaintiff who, on information and belief, presently resides somewhere in Mexico. It is unclear whether Plaintiff would oppose this Motion, but given the status of the case and other events that

transpired since the filing of this case with respect to the Property, withdrawing counsel has no reason to believe that Plaintiff would oppose this Motion. There is good cause for this Court to grant this Motion.

3. Plaintiff had the Property under contract with a buyer, and the buyer and Plaintiff were working together to stop a scheduled foreclosure sale so that Plaintiff and the buyer could close on the sale of the Property to the buyer. Under what was, at the time, authority given by Plaintiff to buyer to retain counsel to attempt to stop the foreclosure so that the Plaintiff and buyer could close, buyer retained counsel with Plaintiff's approval to pursue stopping the foreclosure sale. The Court entered a TRO and stopped the foreclosure sale. Thereafter, however, disputes arose between Plaintiff and buyer. Specifically, there is no communication with Plaintiff and unresolvable conflicts, and it has become necessary for counsel to immediately withdraw.

4. Counsel does not move to withdraw for purposes of delay, and counsel has no dilatory motive.

5. A copy of this Motion has been delivered by email to Plaintiff at his last known address which is the Property address referenced herein. Counsel does not have an email address for Plaintiff or a current telephone number.

6. Pursuant to Local Rule 6.1, counsel certifies that there are (i) no rulings of the Court that have yet to be reduced to writing and (ii) no imminent deadlines.

WHEREFORE, PREMISES CONSIDERED, Branch M. Sheppard, Annarose M. Harding, and Galloway, Johnson, Tompkins, Burr & Smith, APLC respectfully request that this Court grant their Motion to Withdraw as Counsel for Plaintiff.

Respectfully submitted,

GALLOWAY, JOHNSON, TOMPKINS, BURR & SMITH, A PLC

By: //s// Branch M. Sheppard

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**WITHDRAWING ATTORNEYS FOR  
PLAINTIFF**

**CERTIFICATE OF CONFERENCE AND CERTIFICATE OF SERVICE**

I hereby certify that on August 2, 2024, I conferred with Defendant's counsel regarding the filing of this Motion. Defendant does not oppose this Motion.

I hereby certify that a true and correct copy of the foregoing instrument was delivered to all parties of record in accordance with the Texas Rules of Civil Procedure on this 2nd day of August, 2024.

**Via First Class Mail and Certified Mail (9489 0178 9820 3029 5338 13)**

ALEJANDRO DEL VALLE DE LA VEGA  
50 SOUTH FREMONT RIDGE LOOP  
THE WOODLANDS, TEXAS 77389

//s// Branch M. Sheppard  
Branch M. Sheppard

### 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.

Haley Sheppard on behalf of Branch Sheppard  
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Envelope ID: 90489839  
Filing Code Description: Motion (No Fee)  
Filing Description: Motion to Withdraw as Counsel  
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#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
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Unofficial Copy Office of Marilyn Burgess District Clerk