

2024-45997 / Court: 151

CAUSE NO. _____

Ally Bank,
Plaintiff

Wisam Muharib,
Defendant

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

JUDICIAL DISTRICT

ORDER FOR ISSUANCE OF WRIT OF SEQUESTRATION

At the hearing on Plaintiff's Application a Writ of Sequestration in this cause, Plaintiff appeared by and through its attorney of record. The hearing was conducted without notice to Defendant.

After reviewing the papers on file, the application submitted by counsel, the appropriate law, and the facts of this case, the Court finds as follows:

1. This cause is still pending in this court.
2. Ally Bank ("Plaintiff") is seeking damages from Defendant and enforcement of Plaintiff's asserted ownership interest and right to possession of 2023 Chevrolet Corvette, Vehicle ID Number 1G1YC2D43P5114518 (the "Vehicle");
3. The Vehicle may be located at 4711 Waring St, Houston, TX 77027;
4. Plaintiff established that Defendant hid, is about to hide, disposed of, or is about to dispose of the Vehicle so as to defraud Plaintiff;
5. Sequestration of the Vehicle is necessary to prevent Defendant from concealing, disposing of, or removing the Vehicle during the pendency of this suit as:
 - a) The Vehicle is rapidly depreciating assets, the concealment of which decreases the remaining value of the Vehicle;

- b) The Vehicle is or may be uninsured, jeopardizing Plaintiff's interest in the Vehicle, should it be lost, stolen or damaged, and endangering the welfare of the driving public at large;
- c) Defendant has refused to properly respond to correspondence or telephone calls, and refused Plaintiff's lawful right to repossession of the Vehicle; and
- d) The amount owed on the Vehicle \$100,475.12 exceeds its fair market value and there is no equity that Defendant may have in the Vehicle.

It is therefore ORDERED that a Writ of Sequestration be issued, conditioned that Plaintiff shall post a bond in the amount of \$ 85,000.00 payable to Defendant, conditioned and approved as required by law.

It is FURTHER ORDERED, ADJUDGED AND DECREED that Defendant shall comply with the Writ of Sequestration (the "Writ") issued in connection with this Order. Defendant shall surrender the Vehicle and the keys to the Vehicle to any law enforcement officer charged with execution of the Writ and shall disclose the location of the Vehicle to any law enforcement officer charged with execution of the Writ.

It is FURTHER ORDERED, ADJUDGED AND DECREED that failure to abide by the terms of this order shall be subject to contempt of court.

It is FURTHER ORDERED, ADJUDGED and DECREED that the Clerk of this Court shall IMMEDIATELY upon signature of this Order issue a writ of sequestration for the recovery of the above-described Vehicle.

It is FURTHER ORDERED, ADJUDGED and DECREED that the Harris County Constable(s), or any other Constable or person authorized by law, is hereby authorized to use and/or authorize such force as is necessary, including breaking any locks, to gain access to the

Vehicle named above located at 4711 Waring St, Houston, TX 77027, or at any other location where the Vehicle is found, by whatever means necessary, for the purpose of executing the writ of possession herein granted.

Defendant may replevy the Vehicle in the bond amount of \$100,475.12.

It is FURTHER ORDERED that in the event Defendant fails to replevy the Vehicle within ten (10) days after the levy of the writ and service of notice on Defendant, the officer having the Vehicle in possession shall deliver the Vehicle to the Plaintiff without bond and without further order of this Court.

SIGNED on the _____ day of _____, 2024.

Signed:
9/18/2024



DISTRICT JUDGE PRESIDING

By:

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