CAUSE NO. 2022-00806

ELATIOR, LLC,	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
V.	§	HARRIS COUNTY, TEXAS
	§	
CHANCEY GREENE, JR., CANDICE	§	
GREENE, CASSAUNDRA GREENE	§	
WRIGHT, CARY GREENE, MONICA	§	
POWELL, ERIC GREENE and THE	§	
UNKNOWN HEIRS AT LAW OF	§	
GRACIE E. GREENE and CHANCEY	§	
GREENE, SR., DECEASED	§	
Defendants.	§	270TH JUDICIAL DISTRICT

PLAINTIFF'S MOTION TO RETAIN

TO THE HONORABLE JUDGE OF SAID COURTS.

NOW COMES, **ELATIOR**, **LLC**, its successors in interest or assigns ("Plaintiff"), which respectfully would show the Court:

- 1. Plaintiff sued Defendants to enforce its security interest in the Property against the Heirs and Defendants in accordance with the terms of the Loan Agreement and Tex. Prop. Code § 51.002 or Tex. R. Civ. P. 309.
- 2. This case is set for dismissal on September 9, 2024. Plaintiff wishes for the Court to retain this matter, as there is good cause for the case to be maintained on the docket.
- 3. Plaintiff filed its first amended petition on February 27, 2024. Plaintiff has served all of the defendants in this matter and was moving forward with having a motion for default judgment heard. It appears that all of the defendants filed an answer on October 2, 2024. Plaintiff is planning to cancel the default judgment hearing and is working on a motion for summary judgment.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that this Court retain this matter and maintain it on its docket.

Respectfully submitted,

BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP

/s/ Peter K. Knapp
Peter K. Knapp
State Bar No. 24070067
4004 Belt Line Road, Suite 100
Addison, Texas/75001
Telephone: 972-341-5040
Facsimile: 972-341-0734

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that on October 4, 2024, I served a true and correct copy of the above and foregoing document upon the following parties pursuant to the Texas Rules of Civil Procedure.

Via CM/RRR #9414 7266 9904 2976 1619 57 and Regular US Mail

Monica Powell 2520 Sam Wilson St. Houston, TX 77020

Via CM/RRR #9414 7266 9904 2976 1619 33 and Regular US Mail

Cassaundra Greene White 12919 Porter Meadow Lane Houston, TX 7701

Via CM/RRR#9414 7266 9904 2976 1619 19 and Regular US Mail

Chancey Greene, Jr. 3630 Borroughsville Road Victoria, TX 77905

Via CM/RRR #9414 7266 9904 2976 1619 64 and Regular US Mail

Eric Greene 15030 Woodlands Dr. Humble, TX 77396

Via CM/RRR #9414 7266 9904 2976 1619 40 and Regular US Mail

Cary Greene 10321 Bainbridge St. Houston, TX 77016

Via CM/RRR #9414 7266 9904 2976 1619 26 and Regular US Mail

Candice Greene 10321 Bainbridge St. Houston, TX 77016

/s/ Peter K. Knapp
Peter K. Knapp

THE STATE OF TEXAS
COUNTY OF COLLIN

DECLARATION OF PETER K. KNAPP

My name is Peter K. Knapp. My date of birth is June 9, 1976, and my business address is 4004 Belt Line Rd., Suite 100, Addison, Texas 75001. I am of sound mind and capable of making this unsworn declaration pursuant to 28 U.S.C. § 1746 and Tex. Civ. Prac. & Rem. Code § 132.001(a). I am over the age of twenty-one (21) years, have never been convicted of a felony or crime involving dishonesty and am fully competent to testify to the matters herein. This declaration is based on my personal knowledge and I declare under penalty of perjury that the information/facts stated herein are true and correct.

Executed in Collin County, State of Texas on the 4th day of October, 2024.

/s/ Peter K. Knapp
Peter K. Knapp

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.

LaDonna Butler on behalf of Peter Knapp Bar No. 24070067 ladonnab@bdfgroup.com Envelope ID: 92818866

Filing Code Description: Motion (No Fee)

Filing Description: PLAINTIFF'S MOTION TO RETAIN

Status as of 10/4/2024 3:24 PM CST

Case Contacts

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