

No. _____

JULIUS LAMUNN NORTH,	§	IN THE DISTRICT COURT OF
Plaintiff,	§	
V.	§	
BONIAL & ASSOCIATES, P.C.,	§	
IDAHO HOUSING AND FINANCE ASSOCIATION,	§	
HOMELOANSERV, INC.,	§	
POLSINELLI, P.C.,	§	
AUCTION.COM, INC	§	
MERSCORP HOLDINGS INC,	§	HARRIS COUNTY, TEXAS
HOMESITE INSURANCE,	§	_____ JUDICIAL DISTRICT
PROGRESS RESIDENTIAL HOMES,	§	
LOCK LORD LLP,	§	
THOMAS E. BLACK, JR., and	§	
BLACK MANN & GRAHAM LLP,	§	
OTHER DEFENDANTS,	§	
Defendants.	§	

PLAINTIFF’S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff Julius Lamunn North (hereinafter “Plaintiff”), and files this Original Petition against Bonial & Associates, P.C., Idaho Housing and Finance Association, HomeLoanServ, Inc., Polsinelli, P.C., Auction.com, Homesite Insurance, Progress Residential

Homes, MERSCORP HOLDINGS INC, Lock Lord LLP, Thomas E. Black, Jr., Black Mann & Graham LLP, and other involved parties (collectively, “Defendants”), and respectfully shows the Court the following:

I. DISCOVERY CONTROL PLAN

1. Plaintiff intends to conduct discovery under Level 2 of Texas Rule of Civil Procedure 190.3.

II. PARTIES

2. Plaintiff: JULIUS LAMUNN NORTH, located in Harris County, Texas.
3. Defendant Bonial & Associates, P.C.: A law firm conducting business in Texas with an office located at 14841 Dallas Parkway, Suite 425, Dallas, TX.
4. Defendant Idaho Housing and Finance Association: A company located at 565 W. Myrtle St., Boise, ID, engaged in mortgage activities but not registered to do business in Texas according to the Texas Secretary of State.
5. Defendant HomeLoanServ, Inc.: A non-profit corporation with its principal office in Boise, ID, engaged in mortgage services in Texas, and also involved in questionable foreclosure activities against the Plaintiff.
6. Defendant Polsinelli, P.C.: A law firm located at 900 W. 48th Pl., Suite 900, Kansas City, MO, which represents Idaho Housing and Finance Association, Bonial & Associates, and HomeLoanServ in legal proceedings. Plaintiff believes that Polsinelli, P.C. and its attorneys were complicit in furthering fraudulent legal activities.
7. Defendant Auction.com: A company engaged in auctioning foreclosed properties, including those involving the Plaintiff. Plaintiff contends that Auction.com facilitated the

fraudulent sale or attempted sale of his property, compounding the wrongful foreclosure efforts initiated by other Defendants.

8. Defendant Homesite Insurance: A company brought to Plaintiff by the Defendants, sharing the same registered agent as Progress Residential Homes. Plaintiff alleges that Homesite Insurance was involved in fraudulent foreclosure actions, and that their involvement, along with their shared agent, is part of a larger conspiracy.
9. Defendant Progress Residential Homes: Another company brought to Plaintiff by Defendants, also sharing the same registered agent as Homesite Insurance. Plaintiff alleges that Progress Residential Homes was part of the coordinated effort to fraudulently foreclose on his property.
10. Defendant Lock Lord LLP: A law firm involved in improper filings related to the Plaintiff's property foreclosure.
11. Defendant Thomas E. Black, Jr.: A trustee involved in the foreclosure process who executed documents that Plaintiff alleges were fraudulent or improperly authorized.
12. Defendant Black Mann and Graham: The Trust company that Thomas E. Black, Jr. worked for at the time of the transfer fraudulent assignment.
13. Defendant MERSCORP holdings, Inc.: A beneficiary of Deed of Trust used to record a fraudulent assignment in order to enforce a fraudulent foreclosure.

III. JURISDICTION AND VENUE

18. This Court has subject matter jurisdiction because the amount in controversy exceeds the minimum jurisdictional limits of this Court.

19. Venue is proper in Harris County, Texas, under Texas Civil Practice & Remedies Code §15.002, as the events giving rise to this lawsuit occurred in this county and Defendants conduct business in this county.

IV. FACTUAL BACKGROUND

20. Plaintiff has been involved in multiple legal disputes involving wrongful foreclosure actions against his property. Defendants, including Idaho Housing and Finance Association, Bonial & Associates, P.C., HomeLoanServ, Inc., and others, have engaged in deceptive and unlawful foreclosure attempts against the Plaintiff, despite procedural defects and improper filings.
21. Plaintiff contends that Bonial & Associates, P.C. and its agents have engaged in a pattern of wrongful conduct, including the filing of fraudulent foreclosure notices, illegal trustee appointments, and improper assignments. This includes a March 2022 Assignment of Beneficiary Interest and a Notice of Trustee's Sale filed by Bonial & Associates, even though Idaho Housing and Finance Association is not registered to do business in Texas.
22. Polsinelli, P.C. and its attorney, represent several Defendants, including Idaho Housing and Finance Association, Bonial & Associates, and HomeLoanServ, Inc. Plaintiff alleges that Polsinelli and Hayes have acted in bad faith, knowingly defending fraudulent actions and moving cases in ways that violate legal and ethical standards.
23. Plaintiff's property is subject to a clouded title involving fraudulent or improperly executed documents. Several documents related to the foreclosure attempts contain false or misleading information, including deeds of trust, assignments, and trustee appointments executed by Thomas E. Black, Jr., Gary Ross, and Sheri Walmer.

24. The companies involved share a common business address at 14841 Dallas Parkway, Suite 425, Dallas, TX, and use the same registered agent services provided by CT Corporation Systems and Registered Agents Inc.. This commonality suggests a coordinated effort to conduct foreclosure activities that were either fraudulent or conducted in violation of Texas law.
25. Plaintiff discovered further discrepancies involving Lone Star Registered Agent, LLC, which allegedly serves as the registered agent for HomeLoanServ, Inc. However, the information provided by Lone Star Registered Agent, LLC does not match official records, raising concerns about its legitimacy as a registered agent.
26. Auction.com was engaged to auction the Plaintiff's property as part of the foreclosure efforts initiated by the other Defendants. Plaintiff alleges that Auction.com knowingly facilitated the sale of a property under dispute and ignored the legal irregularities surrounding the foreclosure process.
27. Homesite Insurance and Progress Residential Homes, both sharing the same registered agent, were brought to Plaintiff by the Defendants in an attempt to further the foreclosure process. Plaintiff believes that both companies were involved in fraudulent attempts to secure the Plaintiff's property through a conspiracy with other Defendants.
28. Black Mann & Graham used Thomas E. Black, jr. to assist in the recording of a fraudulent assignment in an attempt to foreclose on the property.

V. CAUSES OF ACTION

1. Fraudulent Misrepresentation

28. Defendants, through intentional misrepresentations and omissions, engaged in fraudulent activities by misrepresenting material facts regarding the Plaintiff's mortgage and related foreclosure proceedings. These fraudulent misrepresentations include false assignments, improper trustee appointments, and the filing of defective foreclosure notices.

2. Civil Conspiracy to Commit Fraud

29. Defendants conspired to defraud the Plaintiff by coordinating wrongful foreclosure activities. The use of shared addresses, registered agents, and legal representation by Polsinelli, P.C., further demonstrates a concerted effort to commit fraudulent acts in Texas. This conspiracy extends to Homesite Insurance and Progress Residential Homes, who acted in concert with other Defendants to unlawfully attempt to foreclose on Plaintiff's property.

3. Violation of Texas Penal Code §32.32 (False Statement to Obtain Property or Credit)

30. Defendants made materially false statements in filings related to the Plaintiff's property in order to obtain control of the property through wrongful foreclosure. These statements include falsified assignments and improper trustee appointments, which constitute violations under Texas Penal Code §32.32.

4. Violation of Texas Civil Practice & Remedies Code §12.002 (Fraudulent Lien Filing)

31. Defendants filed fraudulent liens and foreclosure documents against Plaintiff's property.

Under Texas Civil Practice & Remedies Code §12.002, Plaintiff is entitled to recover the greater of \$10,000 or actual damages, as well as attorney's fees and exemplary damages, for the fraudulent filing of lien documents.

5. Wrongful Foreclosure

32. Defendants engaged in wrongful foreclosure attempts by filing improper foreclosure notices, appointing unqualified trustees, and executing invalid assignments related to the Plaintiff's property. These actions have caused financial harm, emotional distress, and reputational damage to the Plaintiff.

6. Racketeer Influenced and Corrupt Organizations Act (RICO)

33. Defendants, including Homesite Insurance, Progress Residential Homes, Auction.com, Bonial & Associates, P.C., HomeLoanServ, Inc., Idaho Housing and Finance Association, and others, participated in an ongoing pattern of racketeering activity as defined under the RICO Act, 18 U.S.C. §§ 1961-1968. This pattern involved fraudulent foreclosure attempts, misrepresentation in legal documents, and other unlawful actions designed to deprive Plaintiff of his property.

34. Defendants engaged in at least two predicate acts of fraud, including mail fraud and wire fraud, in furtherance of their wrongful foreclosure conspiracy. The collective actions of these Defendants were part of an enterprise intended to fraudulently foreclose on properties in violation of both Texas and federal law.

VI. DAMAGES

35. As a direct result of Defendants' actions, Plaintiff has suffered the following damages:

- a. Actual damages in the amount of \$750,000 for financial losses related to legal costs, property devaluation, and emotional distress.
- b. Punitive damages for the willful and malicious conduct of Defendants, to serve as a deterrent for future wrongful actions.
- c. Attorney's fees and court costs associated with this litigation.
- d. Civil penalties under Texas Civil Practice & Remedies Code §12.002 for the filing of fraudulent liens and other foreclosure-related documents.

VII. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that Defendants be cited to appear and answer, and that upon final trial, Plaintiff have judgment against Defendants for:

- a. Actual damages in the amount of \$750,000;
- b. Punitive damages as allowed by law;
- c. Prejudgment and post-judgment interest as allowed by law;
- d. Court costs and attorney's fees;
- e. Civil penalties for fraudulent filings as permitted under Texas law;

f. RICO damages including treble damages under 18 U.S.C. § 1964(c), for the participation of Defendants in a pattern of racketeering activity;

g. Any other relief to which Plaintiff may be entitled at law or in equity.

Respectfully Submitted,

/s/ Julius-Lamunn: North, beneficiary UCC 1-308, UCC 3-419

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Case Contacts

Name	BarNumber	Email	Timestamp Submitted	Status
Julius North		loveandprosperitysh@gmail.com	11/21/2024 10:02:12 PM	NOT SENT

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