

CAUSE NO: 202279613

**IN RE: ORDER FOR FORECLOSURE
CONCERNING 4730 CARMEN STREET
HOUSTON, TX 77033 UNDER TEX. R. CIV.
PROC. 736**

PETITIONER:

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR NOVASTAR
MORTGAGE FUNDING TRUST, SERIES
2007-2, NOVASTAR HOME EQUITY LOAN
ASSET-BACKED CERTIFICATES, SERIES
2007-2**

RESPONDENT(S):

CAROLYN R. SLATER

IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

164th JUDICIAL DISTRICT

PETITIONER'S NOTICE OF NON-SUIT WITHOUT PREJUDICE
(ACCELERATION OF LOAN MATURITY NOT RESCINDED)

TO THE HONORABLE JUDGE OF SAID COURT:

Deutsche Bank National Trust Company, as Trustee for Novastar Mortgage Funding Trust, Series 2007-2, Novastar Home Equity Loan Asset-Backed Certificates, Series 2007-2 ("Petitioner"), hereby gives the court and the Respondent(s) its notice of Non-Suit without Prejudice dismissing CAROLYN R. SLATER ("Respondent(s)"), from and out of the above-entitled and numbered cause and in support thereof would show the Court the following:

1. Petitioner no longer desires to prosecute this Expedited Foreclosure Proceeding filed under the above entitled and numbered cause pursuant to Tex. R. Civ. P. 736; however, Petitioner is electing to pursue foreclosure by judgment in an alternative action for judicial foreclosure against this Respondent as provided for by Tex. R. Civ. P. 735.3, and, accordingly, requests this Court enter an Order of Nonsuit of this proceeding without prejudice pursuant to the same.

2. NOTICE TO RESPONDENT REGARDING NO RESCISSION/ABANDONMENT OF ACCELERATION OF LOAN MATURITY – PETITIONER HEREBY GIVES NOTICE THAT FILING OF THIS NOTICE OF NONSUIT IS FOR THE SOLE PURPOSE OF DISMISSING THIS EXPEDITED FORECLOSURE PROCEEDING FILED UNDER THE ABOVE ENTITLED AND NUMBERED CAUSE; THAT PETITIONER WILL PURSUE ITS REMEDIES FOR FORECLOSURE AFFORDED BY THE APPLICABLE NOTE AND DEED OF TRUST ("LOAN AGREEMENT" COLLECTIVELY) THROUGH AN ACTION SEEKING JUDICIAL FORECLOSURE AS PROVIDED FOR BY TEX. R. CIV. P. 735.3; AND, ACCORDINGLY, PETITIONER IS HEREBY EXPRESSLY NOT ABANDONING OR RESCINDING ACCELERATION OF THE LOAN'S MATURITY, NOTICE OF WHICH WAS PREVIOUSLY PROVIDED TO RESPONDENTS IN THE NOTICE OF ACCELERATION.

WHEREFORE, PREMISES CONSIDERED, Petitioner requests that this Court enter an Order of Non-Suit of CAROLYN R. SLATER from this cause without prejudice.

Respectfully submitted,
MACKIE WOLF ZIENTZ & MANN, P.C.

/s/ Ester Gonzales

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ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I certify that I mailed a copy of Petitioner's Notice of Non-Suit by First Class U.S. Mail and Certified Mail, return receipt requested, to the person listed below on this 9th day of December, 2024.

/s/ Ester Gonzales
Ester Gonzales

Via First Class U.S. Mail and CM/RRR#

CAROLYN R. SLATER
4730 CARMEN STREET
HOUSTON, TX 77033
71969002484090204108

Unofficial Copy Office of Marilyn Burgess District Clerk

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.

Lisa Harden on behalf of Ester Dolores Gonzales

Bar No. 24012708

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Envelope ID: 95177676

Filing Code Description: Notice

Filing Description: Petitioner's Notice of Nonsuit with Proposed Nonsuit Order

Status as of 12/11/2024 3:43 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Lisa Harden		lharden@mwzmlaw.com	12/11/2024 7:48:45 AM	SENT
Ester Gonzales		egonzales@mwzmlaw.com	12/11/2024 7:48:45 AM	SENT