

CAUSE NO. 2018-06526

FREE AND SOVEREIGN STATE
OF VERACRUZ DE IGNACIO DE
LA LLAVE,

Plaintiffs

VS.

JOSE A. MANSUR, JR., M1
WOODLANDS, LLC, M1 VILLAGE,
LLC, TEXAS SOUTHMAN, INC.
AND JAVIER DUARTE DE OCHOA,

Defendants

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IN THE DISTRICT COURT

HARRIS COUNTY, TEXAS

190TH JUDICIAL DISTRICT

DEFENDANT JOSE MANSUR, JR.'S ORIGINAL ANSWER

TO THE HONORABLE COURT:

COMES NOW, Jose Mansur, Jr. and files his Original Answer and Request for Disclosure, and in support thereof respectfully shows the following:

General Denial

Defendant, Jose Mansur, Jr., enters a general denial. Defendant generally denies, each and every, all and singular, the material allegations of fact and law contained in Plaintiff's petition in accordance with Rule 92, Texas Rules of Civil Procedure, and respectfully requests this court require Plaintiff to prove each and every one of their allegations by a preponderance of the evidence as required by law.

Special Exceptions

Defendant, Jose Mansur, Jr. (hereafter 'Mansur') excepts to the allegations contained in the causes of action with the headings "Conversion," and "Theft

Liability Act.” Plaintiff makes allegations, but does not provide any facts, to show that Mansur wrongfully acquired possession of funds used to purchase the property in question. Plaintiff’s petition does not give Mansur fair and adequate notice of the facts upon which it bases its claim. Mansur requests that the Court make an order sustaining this special exception, requiring Plaintiff to replead its facts and cure this defect before a future date certain, and dismiss Plaintiff’s claims if such facts are not sufficiently pled.

Mansur specially excepts to the allegations contained in the cause of action with the heading “Civil Conspiracy.” Plaintiff makes allegations but does not provide any facts to show that Mansur and co-defendants acted or conspired to act towards an unlawful purpose. Plaintiff’s petition does not give Mansur fair and adequate notice of the facts upon which it bases its claim. Mansur requests that the Court make an order sustaining this special exception, requiring Plaintiff to replead its facts and cure this defect before a future date certain, and dismiss Plaintiff’s claims if such facts are not sufficiently pled.

Mansur specially excepts to the allegations contained in the cause of action with the heading “Texas Penal Code 31.03(e)(7).” Plaintiff makes allegations but does not provide any facts to show that Defendant Mansur and co-defendants unlawfully appropriated property belonging to the Plaintiff. Plaintiff’s petition does not give Mansur fair and adequate notice of the facts upon which it bases its claim. Mansur requests that the Court make an order sustaining this special exception, requiring Plaintiff to replead its facts and cure this defect before a future date

certain, and dismiss Plaintiff's claims if such facts are not sufficiently pled.

Statute of Limitations

The longest statute of limitations for any cause of action alleged by the Plaintiff is four years. In this case, the alleged actions complained about accrued more than four years prior to the filing of this lawsuit, therefore Plaintiff's claims are barred by the statute of limitations.

Request for Disclosures

Pursuant to Rule 194, Plaintiff is requested to disclose, within thirty (30) days of service of this request, the information or material described in Rule 194.2(a)(1).

Prayer

WHEREFORE, PREMISES CONSIDERED, Defendant Mansur prays that Plaintiff take nothing by reason of this suit, and to any other relief that they may be justly entitled.

Unofficial Copy Office of Chris Daniel District Clerk

Respectfully submitted,

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By: /s/ Dennis Sanchez
Dennis Sanchez
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ATTORNEY FOR JOSE MANSUR, JR.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing answer has been served on all counsel of record electronically, on this 27th day of April, 2018.

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/s/ Dennis Sanchez
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