

ORDER AUTHORIZING COUNTY ATTORNEY TO FILE
ANSWER AND DEFEND LAWSUIT AND AUTHORIZING EXPENSES

On this the 27th day of December, 2010, the Commissioners Court of Johnson County, being duly convened at a regularly called meeting of the Commissioners Court, upon motion of Commissioner Matthews, seconded by Commissioner Bailey, duly put and carried, adopted the following:

1.

Whereas, Freddie Mac instituted a Forcible Entry and Detainer Suit against Melba Bruce in Justice of the Peace Court, Precinct Number Four, in Cause No. E001600 seeking to take possession of the real property located at 309 S. Old Mansfield Road, Keene, Texas 76059; and

2.

Whereas, on December 3, 2010, Judge Betty Stiles, Justice of the Peace, Precinct Four, Johnson County, Texas in Cause No. E001600 awarded possession of the real property located at 309 S. Old Mansfield Road, Keene, Texas 76059 to Freddie Mac; and

3.

Whereas, on December 8, 2010, Melba Bruce allegedly attempted to file a Pauper's Affidavit in Cause No. E001600 to perfect her appeal in which Judge Stiles' judgment awarded possession of the real property to Freddie Mac and Judge Stiles allegedly refused to allow the filing and rejected the Pauper's Affidavit; and

4.

Whereas, Melba Bruce is of the opinion that she is the lawful owner of the real property and that Freddie Mac is asserting an invalid interest in and to the real property and has filed Cause No.

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Filed For Record 1:17 PM

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DEC 27 2010

Becky Williams
County Clerk, Johnson County Texas

BY A.C. DEPUTY

C201000714 in the 413th District Court of Johnson County, Texas, Plaintiff's Original Petition, Application for Temporary Restraining Order, and Temporary and Permanent Injunction and for Mandamus against Federal Home Loan Corporation as Defendant and against Betty Stiles, Justice of the Peace, Precinct Number Four, and Gary Braly, Constable, Precinct Number Four, of Johnson County, Texas as Respondents; and

5.

Whereas, Melba Bruce is requesting that the District Court enjoin Constable Gary Braly from executing the writ of possession and is requesting that the District Court order Judge Stiles to vacate the Writ of Possession in Cause No. E001600.

6.

IT IS THEREFORE ORDERED that the County Attorney of Johnson County, Texas is hereby authorized to file an answer on behalf of Judge Betty Stiles and Constable Gary Braly, in Cause Number C201000714, Melba Bruce vs. Federal Home Loan Corporation in the 413th District Court of Johnson County, Texas and is authorized to defend and represent Judge Betty Stiles and Constable Gary Braly, in said lawsuit.

7.

IT IS FURTHER ORDERED that the County Attorney is authorized to expend the amount of \$4,000.00 as initial expenses in the case, which amount includes, but is not limited to, funds for court reporter fees, expert fees and expenses, discovery costs, and any other reasonable and necessary expense.

8.

All funds necessary to accomplish the above are hereby ordered to be made.

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9.

All such costs and fees should be charged to the general fund.

SIGNED this 27th day of December 27, 2010.



Roger Harmon
County Judge