

DKLITDSP02



Welcome to  
Bexar County

www.bexar.org



HOME [Commissioners Court](#) [Constables](#) [County Clerk](#) [County Court](#)  
[District Attorney](#) [District Clerk](#) [District Courts](#) [Justices of the Peace](#)  
[Probate Courts](#) [Sheriff](#) [Tax Assessor Collector](#)

## District Courts Civil Litigant Inquiry

<b>Cause Number:</b>	2007TA103246
<b>Name:</b>	ARMANDO MONTELONGO JR
<b>Litigant Type:</b>	DEFENDANT
<b>Style:</b>	BEXAR COUNTY ET AL vs MONTELONGO ACQUISITIONS INC ET AL
<b>Court:</b>	225
<b>Date Filed:</b>	09/06/2007
<b>Docket Type:</b>	DELINQUENT TAXES
<b>Case Status:</b>	PENDING

[New Search](#)

[Return to List](#)

Please help us provide you better service by completing a short, five question survey.  
[Click here to participate](#)

\* D O C K E T I N F O R M A T I O N \*

CAUSE NUM: 2007TA103244 COURT: 225 UNPAID BALANCE: 0.0  
 DATE FILED: 09/06/2007  
 TYPE OF DOCKET: DELINQUENT TAXES  
 \* \* \* S T Y L E \* \* \*  
 BEXAR COUNTY ET AL.  
 VS MONTELONGO ACQUISITIONS INC ET AL.

ACCOUNT TYPE: TX ACCOUNT NO: 54740440190  
 ACCESS: 0 STATUS: PENDING  
 LIST TYPE: T

\* L I T I G A N T I N F O R M A T I O N \*

SEQ	LAST /FIRST /MIDDLE NAME	LIT. TYPE/ATTORNEY	DATE
00001	BEXAR COUNTY	PLAINTIFF 00001 GONZALEZ, CRISTINA	09/06/2007
00002	NORTH EAST INDEPENDENT SCHOOL DISTR	PLAINTIFF 00001 GONZALEZ, CRISTINA	09/06/2007
00003	MONTELONGO ACQUISITIONS INC	DEFENDANT	09/06/2007
00004	MONTELONGO ARMANDO JR	DEFENDANT	09/06/2007
00005	ESTATE OF BACK ALLEY LAND TRUST	DEFENDANT	09/06/2007
00006	JOSEFH D HERNANDEZ ENTERPRISES LLC	DEFENDANT	09/06/2007

\* S E R V I C E S I N F O R M A T I O N \*

SEQ	SERVICE TYPE / DATES	DIST	LITIGANT NAME
00001	CITATION/TAX TAPE ISS: 09/06/2007 REC: 09/11/2007	182	RET:
00002	CITATION/TAX TAPE ISS: 09/06/2007 REC: 09/11/2007	182	MONTELONGO JR ARMAND RET:
00004	CITATION/TAX TAPE ISS: 09/06/2007 REC: 09/11/2007	187	RET:

\* A T T O R N E Y I N F O R M A T I O N \*

SEQ	DATE FILED	BAR NBR.	NAME	STATUS	DATE
00001	09/06/2007	00784145	GONZALEZ CRISTINA	SELECTED	09/07/2007

\* P R O C E E D I N G I N F O R M A T I O N \*

SEQ	DATE FILED	REEL	IMAGE	PAGE COUNT
00001	09/06/2007	0000	0000	0000
DESC: PLAINTIFF'S ORIG PET				

\* T R I A L I N F O R M A T I O N \*

SEQ	DATE FILED	COURT	SETT. DATE	TIME	ATTY
-----	------------	-------	------------	------	------

* O R D E R I N F O R M A T I O N *							
SEQ	DATE FILED	JUDGE NAME	VOLUME	PAGE	PAGE CNT	AMOUNT	SOF

* B O N D I N F O R M A T I O N *		
SEQ	DATE FILED	PRINCIPAL

SUIT NO. 2007-TA1-03246

BEXAR COUNTY, ET AL

VS.

MONTELONGO ACQUISITIONS, INC., ET AL

§  
§  
§  
§  
§

IN THE DISTRICT COURT  
225TH JUDICIAL DISTRICT  
BEXAR COUNTY, TEXAS

ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

I.

PLAINTIFF(S)

This suit is brought for the recovery of delinquent ad valorem taxes under TEX. TAX CODE § 33.41 by the following named Plaintiff(s), whether one or more, each of which is a taxing unit and legally constituted and authorized to impose and collect taxes on property:

**BEXAR COUNTY AND NORTH EAST INDEPENDENT SCHOOL DISTRICT**

The Plaintiff(s) intends discovery to be conducted under Level 2 of Rule 190, Texas Rules of Civil Procedure.

DEFENDANT(S)

The following are named as Defendant(s) in this suit and may be served with notice of these claims by service of citation at the address and in the manner shown as follows:

Montelongo Acquisitions, Inc., A Texas Corporation, upon whom service may be obtained by serving its Registered Agent, Armando Montelongo, Jr. at 4144 Jung Rd, San Antonio, TX 78247;

Armando Montelongo, Jr., As Trustee Of The Back Alley Land Trust, 4144 Jung Rd, San Antonio, TX 78247;

Mandoman Management, Inc., A Nevada Corporation (Lienholder), whose home office address is 4144 Jung Rd, San Antonio, TX 78247, and who is engaging in business in Texas but has not designated a resident agent for service of process, and upon whom service may be obtained by serving the Texas Secretary of State, its agent for service pursuant to Tex. Civ. Prac. & Rem. Code Ann. § 17.044 and 17.091, at 1019 Brazos St., James Earl Rudder Building, Austin, Texas 78701;

Joseph D. Hernandez Enterprises, L.L.C., A Texas Ltd Liability Company (Lienholder), upon whom service may be obtained by serving its Registered Agent, Alvaro Briseno at 333 Convent St., San Antonio, TX 78205

if living, and if any or all of the above named Defendant(s) be deceased, the unknown heirs of each or all of the said above named deceased persons; and the unknown owner or owners of the following described property; and the executors, administrators, guardians, legal representatives, devisees of the

above named persons; and any and all other persons, including adverse claimants, owning or having any legal or equitable interest in or lien upon the below described property located in the county in which this suit is brought.

The following taxing unit(s), whether one or more, is joined as a party herein as required by TEX. TAX CODE § 33.44(a) because it may have a claim for delinquent taxes against all or part of the same property described below: **CITY OF WINDCREST and BEXAR COUNTY WATER CONSERVATION IMPROVEMENT DISTRICT # 10**. The foregoing named taxing unit(s), if any, is invited to add its claim by intervening herein.

## II.

Claims for all taxes becoming delinquent on said property at any time subsequent to the filing of this suit, up to the day of judgment, including all penalties, interest, attorney's fees, and costs on same, are incorporated in this suit, and Plaintiff(s) is entitled to recover the same, upon proper proof, without further citation or notice. Plaintiff(s) is further entitled to recover each penalty that is incurred and all interest that accrues on all delinquent taxes imposed on the property from the date of judgment to the date of sale.

## III

As to each separately described property shown in "Exhibit A", there are delinquent taxes, penalties, interest, attorney's fees, and costs justly due, owing and unpaid to Plaintiff(s) for the tax years and in the amounts shown therein, said exhibit being attached hereto and made a part hereof by reference for all purposes.

## IV

All of the taxes were authorized by law and legally imposed in the county in which this suit is brought. The taxes were imposed in the amount(s) stated in "Exhibit A" on each separately described property for each year specified and on each person named, if known, who owned the property on January 1 of the year for which the tax was imposed. Plaintiff(s) now has and asserts a lien on each property described herein to secure the payment of all taxes, penalties, interest, attorney's fees, and costs due. Pursuant to Rule 54 of the Texas Rules of Civil Procedure, Plaintiff(s) affirmatively avers that all things required by law to be done have been done properly by the appropriate officials and all conditions precedent have been met.

## V.

All of the property described in Exhibit A was, at the time the taxes were assessed, located within the territorial boundaries of each taxing unit in whose behalf this suit is brought. All Defendants named in this suit either owned the property that is the subject of this suit on January 1 of the year in which taxes were imposed on said property, or owned or claimed an interest in said property at the time of the filing of this suit. The value of any personal property that may be described above, and against which the tax lien is sought to be enforced, is in excess of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00).

## VI.

The Law Firm represented by the attorney whose name is signed hereto is legally authorized and empowered to institute and prosecute this action on behalf of Plaintiff(s). Plaintiff(s) should

recover attorney's fees as provided by law for the prosecution of this case, and such attorney's fees should be taxed as costs.

VII.

Plaintiff(s) may have incurred certain expenses in procuring data and information as to the name, identity and location of necessary parties, and in procuring necessary legal descriptions of the property that is the subject of this suit. Said expenses, if incurred, are reasonable and are shown in "Exhibit A" as abstractor's costs, which expenses should be taxed as costs herein.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff(s) requests that citation be issued and served upon each Defendant named herein, commanding them to appear and answer herein in the time and manner required by law. Plaintiff(s) further prays, upon final hearing in this cause, for foreclosure of its liens against the above-described property securing the total amount of all delinquent taxes, penalties and interest, including taxes, penalties and interest becoming delinquent during the pendency of this suit, costs of court, attorney's fees, abstract fees, and expenses of foreclosure sale. Plaintiff(s) further prays for personal judgment against Defendant(s) who owned the property on January 1 of the year for which the taxes were imposed for all taxes, penalties, interest, and costs that are due or will become due on the property, together with attorney's fees and abstractor's fees. Plaintiff(s) further prays for: (1) the appropriate order of sale requiring the foreclosed property to be sold, free and clear of any right, title, or interest owned or held by any named Defendant, at public auction in the manner prescribed by law, and (2) writs of execution, directing the sheriffs and constables for the State of Texas, to search out, seize, and sell sufficient property of the Defendant(s) against whom personal judgment may be awarded to satisfy the lawful judgment sought herein. Finally, Plaintiff(s) prays for such other and further relief, at law or in equity, to which it may show itself justly entitled.

Respectfully submitted,

LINEBARGER GOGGAN BLAIR  
& SAMPSON, LLP  
711 NAVARRO, SUITE 300  
SAN ANTONIO, TX 78205  
(210) 225-6763  
(210) 225-6410 - FAX



---

Cristina Gonzalez  
State Bar No. 00784146  
Ronald E. Rocha  
State Bar No. 24039143  
Attorneys for Plaintiff(s)

EXHIBIT "A"

2007-1A1-03246

054740440190

CB 5474A BLK 44 LOT 19

BACK ALLEY LAND TRUST  
239 DALEHURST DR  
SAN ANTONIO, TX 78201-2204

LEGAL DESCRIPTION OF PROPERTY:

COUNTY BLOCK 5474A BLOCK 44 LOT 19 WINDCREST SUBDIVISION UNIT 13 IN THE CITY OF WINDCREST, BEXAR COUNTY, TEXAS, AS SHOWN IN VOLUME 05700, PAGE 0086 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

DELINQUENT TAX STATEMENT

ACCT. NO 054740440190

BEXAR COUNTY

	YEAR	TAX AMT	P & I	TOTAL
	2006	\$1,242 16	\$546 57	\$1,788 73
TOTAL		\$1,242 16	\$546 57	\$1,788 73

ACCT. NO. 054740440190

NORTH EAST INDEPENDENT SCHOOL DISTRICT

	YEAR	TAX AMT	P & I	TOTAL
	2006	\$2,864 17	\$1,260 23	\$4,124 40
TOTAL		\$2,864 17	\$1,260 23	\$4,124 40

TOTAL DUE AS OF SEPTEMBER, 2007

TOTAL		\$4,106 33	\$1,806 80	\$5,913 13
-------	--	------------	------------	------------

This suit covers all delinquent taxes owed on this property, whether or not itemized herein for all years. Penalty and interest continue to accrue monthly at 1%.

ABSTRACTOR'S FEE: \$225.00 (REI DATA INC.)

THE ABOVE AMOUNTS DO NOT INCLUDE ANY FEES DUE THE DISTRICT CLERK OF THE COUNTY WHERE THE SUITS IS FILED. TEXAS LAW MAKES YOU RESPONSIBLE FOR PAYMENT OF THESE FEES. PLEASE CONTACT THE DISTRICT CLERK FOR THE AMOUNT DUE. THESE FEES MUST BE PAID BEFORE THE SUIT MAY BE DISMISSED. PAYMENT OF COURT COSTS MUST BE IN THE FORM OF A CASHIERS CHECK OR MONEY ORDER.