

ORIGINAL

CAUSE NO. 3-40636

FILED FOR RECORD
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JANICE STAPLES
DISTRICT CLERK
ANDERSON COUNTY, TX
JPS

RICK HARDY D/B/A RICK HARDY AUTO SALES
AND LELA LLOREDA, PLAINTIFFS

§

IN THE THIRD JUDICIAL

VS.

§

DISTRICT COURT OF

JOYCE LOVELESS, TEXAS DEPARTMENT OF
TRANSPORTATION, CORNERSTONE ACCEPTANCE
CORPORATION, ALSCO-NATIONAL ASSIGNMENT
CENTER, INC. AND ALSCO AUTO AUCTION, INC.,
DEFENDANTS

§

ANDERSON COUNTY, TEXAS

JUDGMENT

A hearing on this cause was held on February 15, 2008. RICK HARDY D/B/A RICK HARDY AUTO SALES, PLAINTIFF, appeared in person and by and through his attorney of record, and announced ready. PLAINTIFF LELA LLOREDA appeared by and through her attorney of record and announced ready. JOYCE LOVELESS, DEFENDANT, having filed a pro se answer, although duly notified of the hearing, failed to appear and wholly made default. THE TEXAS DEPARTMENT OF TRANSPORTATION, DEFENDANT, having filed an answer, although duly notified of the hearing, failed to appear. DEFENDANT CORNERSTONE ACCEPTANCE CORPORATION appeared by and through its attorney and announced ready. DEFENDANTS ALSCO-NATIONAL ASSIGNMENT CENTER, INC. and ALSCO AUTO AUCTION, INC. appeared by and through their attorney of record and announced ready. A jury was not requested, and the Court decided all fact questions.

The Court has considered the pleadings and official records on file in this cause, the evidence, and the parties' arguments, and the Court renders the following judgment:

1. On the claim of Declaratory Judgment, the Court finds in favor of PLAINTIFFS, RICK HARDY D/B/A RICK HARDY AUTO SALES and LELA LLOREDA, and against DEFENDANT, JOYCE LOVELESS. The Court determined that all other Defendants (THE TEXAS DEPARTMENT OF TRANSPORTATION, CORNERSTONE ACCEPTANCE CORPORATION, ALSCO-NATIONAL ASSIGNMENT CENTER, INC. and ALSCO AUTO AUCTION, INC.) have no liability in this matter.

COURT'S ORDER

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2. On the claim of Attorneys' Fees, the Court finds in favor of PLAINTIFF, RICK HARDY and against DEFENDANT, JOYCE LOVELESS in the amount of \$5,000.00 (Five Thousand and No/100 Dollars), for which judgment is **GRANTED**. The Court finds that under §501.106 of the Texas Transportation Code, the Texas Department of Transportation is not liable for damages.

3. On the claim of Vexatious Litigant, the Court finds that DEFENDANT, JOYCE LOVELESS, is a Vexatious Litigant as defined under Chapter 11 of the Texas Civil Practice and Remedies Code and is subject to the orders set forth in this judgment. JOYCE LOVELESS is a Vexatious Litigant as to the 1999 Isuzu Rodeo, [REDACTED] JOYCE LOVELESS is a Vexatious Litigant as to all the other parties in this suit and their attorneys of record. PLAINTIFF RICK HARDY D/B/A RICK HARDY AUTO SALES is **GRANTED** judgment for damages against DEFENDANT JOYCE LOVELESS in the sum of \$6,000.00 (Six Thousand and No/100 Dollars) (U.S.).

4. PLAINTIFF, RICK HARDY D/B/A RICK HARDY AUTO SALES, is entitled to prejudgment interest on the damages awarded herein against DEFENDANT JOYCE LOVELESS, measured from August 16, 2007, at the rate of 8.25% per annum.

5. PLAINTIFF, RICK HARDY D/B/A RICK HARDY AUTO SALES, is entitled to postjudgment interest on the total amount of the judgment and any prejudgment interest awarded hereinabove, at the rate of 8.25% per annum from the date this judgment is signed until paid.

6 **IT IS ORDERED** that JOYCE LOVELESS is a Vexatious Litigant. DEFENDANT JOYCE LOVELESS is prohibited from filing, in propria persona, a new litigation in a court in this State against RICK HARDY, RICK HARDY AUTO SALES, RICK HARDY AUTO SALES, INC., LELA LLOREDA, THE TEXAS DEPARTMENT OF TRANSPORTATION, its agents, attorneys and employees, CORNERSTONE ACCEPTANCE CORPORATION, its officers, directors, and employees, ALSCO-NATIONAL ASSIGNMENT CENTER, INC., its officers, directors, and employees, ALSCO AUTO AUCTION, INC., its officers, directors, and employees, DEAN, COE & ASSOCIATES, P.C., its officers, directors, and employees, DANIEL F. DEAN, JEFFREY L. COE, AMERICAN LENDERS SERVICE CO., its officers, directors, and employees, O. MACHELLE MORRIS, RAMSEY & MURRAY, P.C., its officers, directors, and employees, and PATRICK N. SMITH without first obtaining the written consent of the local administrative judge of the court in which the person intends to file the litigation. If JOYCE LOVELESS disobeys this order she is subject to contempt of court.

7. **IT IS ORDERED** that the TEXAS DEPARTMENT OF TRANSPORTATION shall immediately issue a Certificate of Title to, and in the name of, RICK HARDY, [REDACTED], as to the 1999 Isuzu Rodeo, [REDACTED].

8. **IT IS ORDERED** that the TEXAS DEPARTMENT OF TRANSPORTATION shall immediately revoke any Certificate of Title to the 1999 Isuzu Rodeo, [REDACTED] that is presently either in the name of LELA LLOREDA or JOYCE LOVELESS. However, the parties take notice that Rick Hardy will probably re-convey title of the 1999 Isuzu Rodeo, [REDACTED] back to LELA LLOREDA, which assignment shall be permitted and recognized by the TEXAS DEPARTMENT OF TRANSPORTATION.

9. **IT IS ORDERED** that the TEXAS DEPARTMENT OF TRANSPORTATION shall not issue a title to the 1999 Isuzu Rodeo, [REDACTED] to JOYCE LOVELESS anytime in the future unless given permission by order of this Court.

10. **IT IS ORDERED** that the clerk of this Court shall provide the Office of Court Administration of the Texas Judicial System a copy of this Order.

11. Costs are hereby taxed against DEFENDANT JOYCE LOVELESS, for which let execution issue.

12. **IT IS ORDERED** that any party in favor of whom judgment is awarded is entitled to enforce this judgment through abstract, execution and any other process necessary.

13. All relief not expressly granted herein is **DENIED**.

SIGNED on June 20, 2008.



HONORABLE PAM FOSTER FLETCHER
JUDGE PRESIDING