

United States District Court  
Southern District of Texas

**ENTERED**

January 10, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

VINESSA AND MICHAEL THOMPSON §  
Plaintiffs §

VS. §

C.A. NO. 3:15-cv-00249

U.S. BANK NATIONAL ASSOCIATION §  
AS TRUSTEE, IN TRUST FOR THE §  
REGISTERED HOLDERS OF §  
CITIGROUP MORTGAGE LOAN §  
TRUST, ASSET-BACKED PASS- §  
THROUGH CERTIFICATES, SERIES §  
2004-AHL3 and SELECT PORTFOLIO §  
SERVICING, INC. §  
Defendants §

**FINAL JUDGMENT AND ORDER OF FORECLOSURE**

Pursuant to the Court’s Memorandum Opinion and Order signed on September 30, 2016, Defendant, U.S. Bank National Association as Trustee for the Registered Holders of Citigroup Mortgage Loan Trust, Asset-Backed Pass-through Certificates, Series 2007-AHL3 (“Trustee”) and Defendant, Select Portfolio Servicing, Inc.’s (“SPS”) (both are collectively referred to as “Defendants”) Motion for Summary Judgment (the “Motion”) is **GRANTED**.

It is therefore **ORDERED** that claims of Plaintiffs/Counter-Defendants, Vinessa and Michael Thompson (“Plaintiffs”) against Defendants are hereby dismissed with prejudice. It is further

**ORDERED** and **DECLARED** that Trustee is hereby awarded and this Judgment shall constitute an Order Authorizing Foreclosure, authorizing Trustee to foreclose on the real property collateral located at 1530 Wayside Drive, Texas City, Texas 77590 as more particularly described in the subject Texas Security Instrument recorded in the real property records of Galveston County, Texas as Document No. 2007004693. It is further

**ORDERED** and **DECLARED** that Trustee is authorized to conduct a non-judicial foreclosure sale of the Property pursuant to the terms and conditions of the Security Instrument and in accordance with TEX. PROP CODE §51.002 and TEX. CONST. Art. XVI § 50 (a)(6) of the following described Property, to-wit:

**LOT 3, BLOCK 6, WAYSIDE PLACE, SECTION ONE (1),  
ACCORDING TO MAP OR PLAT THEREOF RECORDED IN  
VOLUME 254A, PAGE 60, TRANSFERRED TO PLAT RECORD 9,  
MAP NO. 57, BOTH OF THE MAP RECORDS OF GALVESTON  
COUNTY, TEXAS**

and which real property together with the improvements thereon is referred to herein as (the "Property"). It is further

**ORDERED** and **DECLARED** that this Judgment serves as a Final *in rem* Judgment and Declaration of this Court Authorizing Foreclosure of the subject Texas Home Equity Lien in accordance with TEX. CONST. ART. XVI §50(a)(6)(D). It is further

**ORDERED** that a copy of this Judgment shall be sent to the Plaintiffs with the notice of the date, time and place of the foreclosure sale. It is further

**ORDERED** that Defendant file a certified copy of this Judgment in the real property records of the county where the property is located within ten (10) days after the entry of this Final *in rem* Judgment; however, failure to timely record this Judgment shall not affect the validity of the foreclosure and defeat the presumption of TEX. CONST. ART XVI, §50(i).

Signed this 10<sup>th</sup> day of May, 2017

  
UNITED STATES DISTRICT JUDGE