

DISTRICT CLERK OF MONTGOMERY COUNTY

CLERK  
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CLERK  
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Cause No. 07-09-09142  
KAREN MCPETERS

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vs.

MONTGOMERY COUNTY TEXAS

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- 09.10.07 ORDER ON MTN TO TRANSFER VENUE FROM TRAVIS CO. PF
- 09.10.07 THIS IS NOW AN ELECTRONIC FILE
- 09.11.07 RET'D RECEIPT OF TRANSFER TO TRAVIS CO DIST CLERK PF
- 09.14.07 LETTER REQUESTING COST DEPOSIT - TRANSFER  
PATSY FLETCHER
- 09.14.07 COPY OF LTR OF COST TO ASST CO ATTY RAYBORN JOHNSON JR PF
- 09.14.07 \*\*\*\*\* FILE PLACED IN NEW SUITS HOLDING FOR FEE DUE  
OF \$217 \*\*\*\*\* PF
- 10.05.07 REC'D CK#123 IN THE AMT OF \$217 FROM ATTY ROBERT MAYS JR PF
- 10.08.07 \*\*\*\*\* FILE TO IMP PF
- 10.15.07 FILE TO RRP NW
- 05.12.08 PLAINTIFF'S SECOND AMENDED PETITION  
FILED BY ATTY ROBERT MAYS JR EB
- 07.17.08 RULE 11 AGREEMENT RE DISCOVERY  
FILED BY ATTYS ROBERT MAYS JR & RAYBORN JOHNSON JR EB
- 01.27.09 COURTESY PHONE CALL TO ATTY ROBERT L. MAYS IN RE: EFILING  
MR. MAYS INSISTS HE DOES NOT HAVE TO EFILE AND THAT THE  
COURT DOES NOT HAVE THE AUTHORITY TO ORDER HIM TO DO SO  
RETURNED HARD COPY DISCOVERY TO HIM W/ COPY OF EFILE ORDER  
.....SH
- 02.04.09 VACATION LETTER  
FILED BY ATTY ROBERT MAYS JR EB
- 06.01.09 \*\*\* FILE TO IMP \*\*\* MM
- 06.08.09 (IM) FILE TO RRP DS
- 06.09.09 VACATION LETTER FOR ATTY ROBERT MAYS JR EB
- 07.31.09 \*\*\* FILE TO RRP \*\* MM
- 08.18.09 \*\*\*\*\* FILE TO IMP \*\*\*\*\*SH
- 08.20.09 (IM) FILE TO RRP DS
- 08.28.09 JUDGEMENT SIGNED 08.11.2009 DISP TYPE CASES DISMISSED FOR WANT OF P Doc. 56 Att. 3  
JUD CODE 412 By sherman
- ~~09.04.09 \*\*\*\*\* FILE TO IMP \*\*\*\*\*SH~~
- 09.21.09 \*\*\*\*\*FILE TO IMP\*\*\*\*\*KK
- 09.22.09 \*\* IM \*\* FILE TO RRP DS
- 09.29.09 RET CLERK'S LETTER TO ROBERT MAYS JR RE DWOP - RTS:  
NOT DELIVERABLE AS ADDRESSED EB
- 10.01.09 \*\*\*\*\* FILE TO RRP \*\*\*\*\*SH
- 10.05.09 REC'D APPEAL BY HARD COPY - CALLED ATTY ROBERT MAYS/LEFT  
MESSAGE THAT IT NEEDS TO BE E-FILED EB  
ACCEPTED BY HARD COPY IN ERROR BY OUR OFFICE EB
- 10.07.09 SPOKE W/ ATTY MAYS - HE WILL E-FILE THE APPEAL ON LEX NEX EB
- 10.07.09 \*\*\*\*APPEAL\*\*\*\*  
PLAINTIFF KAREN MCPETERS' NOTICE OF APPEAL  
FILED BY ATTY ROBERT MAYS JR EB
- 10.08.09 \*\*\*\*FILE TO CPJ1\*\*\*\*\*EB
- 10.08.09 REC'D REQ FOR CLERK'S RECORDS BY HARD COPY - CALLED ATTY  
MAYS - HE WILL E-FILE THIS REQUEST EB
- 10.08.09 \*\*APPEAL\*\*  
CLERK'S NOTICE OF APPEAL FORWARDED TO 9TH COA

McPeters v. Edwards et al

Exhibit "3"

Defendant The Honorable Frederick E.  
Edwards's Motion To Dismiss  
Plaintiff's Second Amended Complaint  
Under Rules 12(b)(6), 12(b)(1), and 9(b)

Certified as to certification  
on signature page

DISTRICT CLERK OF MONTGOMERY COUNTY

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- DUE DATE: NOVEMBER 13, 2009
- (LETTER W/COPY TO ATTY MAYS AND ATTY JOHNSON) LT
- 10.13.09 PLTF KAREN MCPETERS' AMENDED NOTICE OF APPEAL
- FILED BY ATTY ROBERT MAYS JR (E-FILE 27518152) EB
- 10.15.09 RET CLERK'S LETTER CONFIRMING RECEIPT OF NOTICE OF APPEAL
- BY NINTH COURT OF APPEALS ON 10.14.09 EB
- 11.10.09 BOC OF COST IN THE AMT\$ 410.00 FORWARDED TO ATTY BY
- FAX AND BY MAIL LT
- 11.16.09 SPOKE WITH ATTY MAYS PLACED CHECK IN MAIL FOR RECORD
- LT
- 11.18.09 REC'D CK# 5865 IN THE AMT \$ 414.00 FOR CLERK'S RECORD
- FROM ATTY ROBERT L. MAYES LT
- 11.20.09 \*\*APPEAL\*\*
- CLERK'S RECORD FORWARDED TO THE 9TH COA BY CCRM
- #7009 0960 0000 1376 9607 (2 VOLUME)
- (LETTER W/INDEX TO ATTY MAYS JR. AND ATTY JOHNSON JR.) LT
- 11.20.09 \*\*FILE TO IMD\*\* LT
- 11.30.09 REC'D RETURN FILE COPY OF LETTER TO 9TH COA
- INDICATING RECEIPT OF CLERK'S RECORD, VOLUMES I AND II...SH
- 11.30.09 RET'D GREEN CARD CMRRR 7009 - 9607 TO: 9TH COA
- STAMPED REC'D ON 11.24.09.....SH
- 12.03.09 \*\*\*\*\* FILE TO ROSIE \*\*\*\*\*SH
- 12.04.09 \*FILE TO IMP. SFW
- 12.04.09 RECEIVED REQ FROM ROBERT L MAYS JR ATTY AT LAW FOR
- COPIES OF THE APRIL 21, 1997 SERVICE AGREEMENT BETWEEN
- LAWPLUS AND MONT COUNTY AND THE CURRENT AGREEMENT BETWEEN
- LEXIS NEXIS AND MONT COUNTY. ALSO COPY OF THE STANDING
- E-FILE ORDER ASSIGNING THIS CASE TO ELECTRONIC FILING PP
- 12.08.09 REQ FROM ROBERT MAYS FORWARDED TO PAM ROBICHAUX. ORIG REQ
- IN PPAYNE'S OFFICE PP
- 12.16.09 COPY OF REQ SENT TO RAY JOHNSON FOR REVIEW . WILL FOLLOW UP
- WITH RAY TODAY. PR
- 12.21.09 \*\*APPEAL\*\* SUPPLEMENTAL CLERK'S RECORD SENT TO 9TH COA BY
- CRRM# 7009 0960 0000 1377 5134 (1 VOLUME)
- (LETTER W/INDEX TO ATTY MAYS AND ATTY JOHNSON) LT

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- 12.21.09 FILE TO IMD LT
- 12.28.09 RET CLERK'S LETTER CONFIRMING RECEIPT OF CLERK'S
- SUPPLEMENTAL RECORD VOL 1 OF 1 BY NINTH COURT OF APPEALS
- ON 12.23.09 EB
- 02.01.10 REQ FOR SUPPLEMENTAL CLERK'S RECORD
- FILED BY ATTY ROBERT MAYS JR EB
- 02.02.10 \*\*\*\*\*FILE TO CPJ1\*\*\*\*\* EB
- 02.03.10 \*\*APPEAL\*\*
- CLERK'S SECOND SUPPLEMENTAL RECORD FORWARDED TO THE 9TH
- COA BY CRM# 7009 0960 0000 1377 5295 (1 VOL.)
- (LETTER W/INDEX TO ATTY JOHNSON AND ATTY MAYS) LT
- 02.03.10 FILE TO IMD LT
- 02.08.10 RET GREEN CARD TO NINTH COURT OF APPEALS (7009 5295)

Certified as to certification  
on signature page

DISTRICT CLERK OF MONTGOMERY COUNTY

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STAMPED REC'D 02.05.10 EB  
02.10.10 RET CLERK'S LETTER TO NINTH COURT OF APPEALS CONFIRMING  
RECEIPT OF CLERK'S SECOND SUPPLEMENTAL RECORD VOL 1 OF 1  
ON 02.05.10 EB  
04.27.10 FILE TO IMD PR

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I, Barbara Gladden Adamick, do hereby  
Certify 3 pages in Cause # 07-09-09142  
as being a true and correct copy of the  
Original Record now on file in the District  
Clerk's Office of Montgomery County, Texas.  
Witness My Official Seal of Office in Conros, Texas  
On This the 1 Day of June 2010  
By: [Signature], Deputy