

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MARIO A. SANCHEZ, <i>et al.</i> ,	§	
	§	
Plaintiffs,	§	
	§	
VS.	§	CIVIL ACTION NO. H-14-1195
	§	
DEUTSCHE BANK NATIONAL	§	
TRUST COMPANY,	§	
	§	
Defendant.	§	

FINAL JUDGMENT FOR JUDICIAL FORECLOSURE

Counter-Plaintiff Deutsche Bank National Trust Company, as Trustee in Trust for the Registered Holders of Morgan Stanley ABS Capital I Trust 2004-HE4, Mortgage Pass-Through Certificates, Series 2004-HE4's, (the "Trustee"), filed a Motion for Summary Judgment. Based on the motion, the pleadings, filings, and record, and the applicable law, the court grants the motion.

Accordingly:

1. The Trustee's motion for final summary judgment is granted.
2. The plaintiffs take nothing on their claims against the Trustee.
3. The Trustee is entitled to recover \$123,988.25 for the debt owed, secured by its lien

on the property owned by the plaintiffs located at 754 Worthshire Street, Houston, Texas 77008, more particularly described as follows:

FIELD NOTE DESCRIPTION to a tract of land containing 1540 square feet, more or less, situated in the John Reinerman Survey, A-642 in Houston, Harris County, Texas, and being part of tract "B", Hiddenlake Section Three subdivision according to the map thereof recorded in Volume 273, Page 22 of the Harris County Map Records, said 1540 square feet being more particularly described by metes and bounds as follows:

COMMENCING for reference at the southwest corner of the
aforementioned Tract "B";

THENCE, N 52° 31' 12" E, a distance of 171.00 feet to a point for a
corner;

THENCE, N 37° 28' 48" E, a distance of 65.00 feet to a point for a
corner;

THENCE, N 52° 31' 12" E, a distance of 10.100 feet to a point of
beginning for a corner;

THENCE, N 37° 28' 48" W, a distance of 44.50 feet to the POINT OF
BEGINNING of the tract herein described;

THENCE, N 37° 28' 48" W, a distance of 16.99 feet to a point for a
corner;

THENCE, N 43° 15' 08" W, a distance of 5.04 feet to a point for a
corner;

THENCE, N 52° 31' 12" E, a distance of 70.00 feet to a point for a
corner;

THENCE, S 43° 15' 08", a distance of 5.05 feet to a point for a
corner;

THENCE, S 37° 28' 48" E, a distance of 16.98 feet to a point for a
corner;

THENCE, S 52° 31' 12" W, a distance of 70.00 feet to the POINT OF
BEGINNING and containing 1540 square feet of land.

(the "Property"). The debt on that lien may only be recovered by the foreclosure sale of the
Property.

4. The Trustee is granted judgment for foreclosure of the Property encumbered by the
Security Instrument, for which the total debt amount due and owing under the Note and the Security
Instrument is \$123,988.25.

5. The Property will be sold in accordance with Tex. R. Civ. P. 309 at public auction to the highest bidder. The Sheriff, Constable, or United States Marshal conducting the sale will deduct out of the proceeds of the foreclosure sale its reasonable fee for conducting the sale and distribute the remaining proceeds in accordance with the terms of the Security Instrument. If any sales proceeds remain, those proceeds will be paid to the inferior lien holders in order of lien priority and then to the plaintiffs.

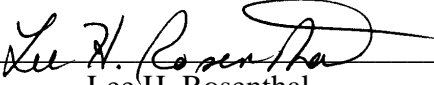
6. A writ of possession as provided by Tex. R. Civ. P. 310 will issue against the plaintiffs and all person(s) claiming under the plaintiffs and the Sheriff, Constable, or United States Marshal or other officer executing the order of sale will place possession of the Property with the foreclosure sale purchaser within 30 days after the sale.

7. The Trustee will have judgment that the plaintiffs and all persons claiming under them, after foreclosure of the Deed of Trust, whether lien claimants, judgment creditors, claimants arising under junior Deeds of Trust or deed of trust, purchasers, encumbrances or otherwise, are barred and foreclosed from all rights, claims, interest or equity of redemption in the Property.

8. The Trustee will have the writs and processes may be necessary to enforce and collect this judgment.

Any relief not granted is denied.

SIGNED on May 4, 2015, at Houston, Texas.



Lee H. Rosenthal
United States District Judge