

United States District Court  
Southern District of Texas

**ENTERED**

March 14, 2022

Nathan Ochsner, Clerk

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

**ELOUISE LAVERNE HAYS,**

*Plaintiff,*

v.

**FINANCIAL FREEDOM LLC and  
CIT BANK, N.A.**

*Defendants.*

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**CIVIL ACTION NO. 4:17-cv-0603**

**FINAL JUDGMENT**

On the 2<sup>nd</sup> day of December, 2021, the Court entered an Order Adopting Magistrate Judge’s Memorandum and Recommendation on the merits of Intervenor, Bank of New York Mellon Trust Company, N.A., as Trustee for Mortgage Assets Management Series I Trust (“Intervenor” or “BONYM”)’s Complaint in Intervention against Plaintiff Elouise Laverne Hays (“Plaintiff”), having found that BONYM is entitled to summary judgment on its claim for judicial foreclosure.

The Court, having considered the pleadings, testimony and other evidence of both Plaintiff and BONYM, **FINDS** that BONYM prevails on its Complaint in Intervention for judicial foreclosure against Plaintiff. For these reasons, the Court hereby **ORDERS** and **DECREES** that BONYM have judicially foreclosed under Texas Rule of Civil Procedure 735 with regard to property commonly known as 3130 Dacca Drive, Houston, Texas 77051 (the “Property”) with the following legal description:

LOT 16, IN BLOCK 13 OF SUGAR VALLEY, A SUBDIVISION  
IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP  
OR PLAT THEREOF, RECORDED IN VOLUME 50, PAGE 47  
OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS.

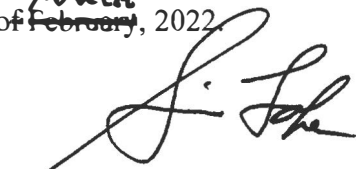
**FURTHER**, The Court makes the following findings relative to the BONYM's judicial foreclosure claim:

- The lien to be foreclosed is indexed or recorded at File #Z148560 (Deed of Trust) and #20090452416 (Corporate Assignment Deed of Trust) and recorded in the real property records of Harris County, Texas.
- The material facts establishing Plaintiff's default are alleged in BONYM's pleadings on file with this Court. Those facts are adopted by the Court and incorporated by reference into this Order.
- The name and last known address of the person subject to this order is Elouise Laverne Hays, 3130 Dacca Drive, Houston, Texas 77051.

**IT IS FURTHER ORDERED** that BONYM is allowed such writs and processes as may be necessary for the enforcement and collection of this judgment of foreclosure including, without limitation, an Order of Sale and a Writ of Possession as provided in Rules 309 and 310 of the Texas Rules of Civil Procedure.

It is **FURTHER ORDERED** and **DECREED** that this is a final judgment and that all relief not granted herein is denied.

**SIGNED** at Houston, Texas this 14<sup>th</sup> day of ~~February~~<sup>MARCH</sup>, 2022.

  
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JUDGE PRESIDING