

FILED FOR RECORD
at 12:14 o'clock P.M.
DATE 9-2-04
Noemi G. Salinas
CLERK DISTRICT COURT, JIM HOGG CO. TEXAS
BY [Signature] DEPUTY

CAUSE NO. CC-03-77

FATIMA DEL SOCORRO LEIVA
MEDINA and EDWIN ALFREDO
MANCIA GONZALES,

IN THE DISTRICT COURT

Plaintiffs,

V.

229th JUDICIAL DISTRICT

RANCH RESCUE TEXAS, an
unincorporated association,
JOSEPH SUTTON, BETTY SUTTON,
TORRE JOHN FOOTE a/k/a JACK
FOOTE, HENRY MARK CONNER, JR.,
and CASEY JAMES NETHERCOTT,

Defendants.

JIM HOGG COUNTY, TEXAS

FINAL DEFAULT JUDGMENT

On ~~August~~ ^{Sept 2, 2004} ___, 2004, Plaintiff Fatima Del Socorro Leiva Medina, moved for default

judgment after defendant, Casey James Nethercott, failed to file an answer in this case. At the hearing, Plaintiff Leiva appeared through her attorney. Defendant Nethercott, did not appear.

The court determined it had jurisdiction over the subject matter and the parties in this proceeding. After considering the pleadings and papers on file in this case, as well as the evidence Plaintiff Leiva presented on damages and arguments of counsel, the court grants the motion.

The court hereby RENDERS judgment for Fatima Del Socorro Leiva Medina.

Therefore, the court orders that Plaintiff Leiva recover from defendant the sum of \$350,000.00, postjudgment interest on the total sum at the annual rate of 10%, and court costs.

The court finds the following:

1. Defendant was personally served with citation and a copy of Plaintiff's Fourth Amended Petition on March 25, 2004.

2. The return of service has been on file with this court since March 26, 2004.
3. The deadline for defendant to file an answer was April 19, 2004. However, defendant did not file an answer or any other pleading constituting an answer.
4. Defendant Nethercott's last known address is 3333 West Puzzi Ranch Road, Douglas, Arizona, 85607. Attached as Exhibit A is a certificate of defendant Nethercott's last known address.
5. Defendant Nethercott is not a member of the United States military. Attached as Exhibit B is an affidavit regarding defendant Nethercott's military status.
6. The damages claimed in Plaintiff Leiva's petition are unliquidated. The court held a hearing by submission where Plaintiff Leiva presented affidavits proving her damages.
7. This judgment is final, disposes of all claims and all parties, and is appealable.
8. The court orders execution to issue for this judgment.

SIGNED on Sept 2nd, 2004.



PRESIDING JUDGE

APPROVED AS TO FORM & SUBSTANCE:

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