

**REGISTER OF ACTIONS**

CASE No. S10-018J12

Ben McCollum, Marcy McCollum vs. Monica Becerra, Ruben Becerra

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§Case Type: **Small Claims**Date Filed: **03/01/2010**Location: **JP1.2****PARTY INFORMATION**

		<b>Lead Attorneys</b>	
<b>Defendant</b>	<b>Becerra, Monica</b> 328 N LBJ DR SAN MARCOS, TX 78666-5624 SID: TX07301719	Female White DOB: 04/22/1973 5' 6", 180 lbs	<b>Art Guzman</b> Retained 512-392-6077(W)
<b>Defendant</b>	<b>Becerra, Ruben</b> dba Gill's Broiler 328 N. LBJ San Marcos, TX 78666	Male	<b>Art Guzman</b> Retained 512-392-6077(W)
<b>Plaintiff</b>	<b>McCollum, Ben</b> 105 Autumn Cove San Marcos, TX 78666	Male White DOB: 09/26/1934 6' 0"	
<b>Plaintiff</b>	<b>McCollum, Marcy L</b>		

**EVENTS & ORDERS OF THE COURT**

<b>OTHER EVENTS AND HEARINGS</b>	
03/01/2010	<b>Plaintiffs Original Petition (Open Case)</b>
03/01/2010	<b>Civil Citation Service</b> Becerra, Monica Served 04/06/2010 Becerra, Ruben Served 03/02/2010
03/17/2010	<b>Letter To Court</b> <i>received letter from plaintiff asking for case to be set for evidence hearing; I will need to look into the matter because it is not showing that monia Becera has yet been served. sg</i>
03/23/2010	<b>Telephone Conversation</b> <i>def. Ruben Becerra called; asked about trial date, when we were discussing his answer, he brought up the \$10,000.00 jurisdiction amounts, after I read his answer, I explained he did not put anything in his answer requestign the case be dismissed due to amount exceeding our 10,000 jurisdiction; he said he will come back this afternoon and re-submit his answer and add the part about dismissing the case because we don't have jurisdiction. sg</i>
04/12/2010	<b>Hearing By Judge</b> <i>Hearing notice has been mailed to defenant</i>
05/17/2010	<b>Telephone Conversation</b> <i>Def. Becerra called and said he wants to keep the same court date; because the court date we changed it to, he will be out of state; informed him it was my error, and that 18 other cases had been scheduled for the same time frame; he will send the court a letter stating his family being out of town, etc; and the case will be reset. sg</i>
05/24/2010	<b>Telephone Conversation</b> <i>I tried calling Mr. McCollum to let him know the def. has requested his continuance; he was not available at the business number per his daughter Kelly, * believe that was her name, anyway, I gave her the information about def. requesting his only continuance, and it was granted, and I was trying to get the case on the docket for June 22, per his daughter, they have scheduled a trip, and she does not know if he would be available; she will check the schedule and get back to the court; as of right now, nothing has been reset in concrete, only the at the def. have exhausted their one chance for a continuance; and if the case is reset and the date is not good for them; unless they provide a showcase affidavit to the court; the case would be heard as scheduled. She will relay information to the dad, and get back with me. sg</i>
05/24/2010	<b>Continued</b> <i>def. becerra requested continuance; he and his family will not be available at this time; he is available after 6-21-2010. I will attempt telephone contact with plaintiff. sg</i>
05/27/2010	<b>Hearing Date</b> <i>notices mailed out this day for 6-22-2010 at 2pm. trial. sg</i>
06/02/2010	<b>Trial By Judge</b> (2:00 PM) (Judicial Officer Hernandez, Margie H.)
06/21/2010	<b>Motion For Continuance</b> <i>submitted by attorney Art guzman on behalf of the plaintiffs; he is now counsel of record. sg</i>
06/22/2010	<b>Trial By Judge</b> (2:00 PM) (Judicial Officer Hernandez, Margie H.)
06/22/2010	<b>Telephone Conversation</b> <i>I called attorney Guzman's office and left message the continuance was granted; I called def. work place number qand left message for them to call me asap. sg</i>
06/22/2010	<b>Telephone Conversation</b> <i>def. Monica called; was informed case was granted continuance and the case was being removed from today's docket; sg</i>
06/22/2010	<b>Amended Petition</b> <i>filed this day. sg</i>
06/29/2010	<b>Telephone Conversation</b> <i>per Mr. Kyle, the plaintiffs will not be pursuing the case at this time and there is no need to issue citations. sg</i>
07/07/2010	<b>Telephone Conversation</b>

| plaintiff called; wants case reset on docket asap; he said Mr. Kyle will no longer be representing him; and I informed him if he is not representing him, then we need that in writing and  
 07/19/2010 **Trial By Judge** (10:00 AM) (Judicial Officer Hernandez, Margie H.)  
 09/28/2010 **Hearing Date**  
 | notice mailed out this day; have not heard from plaintiff, so I'm setting the case. sg  
 11/08/2010 **Telephone Conversation**  
 | Art Guzman's office called; said they never receive dnotice of the hearing set for tomorrow; after looking at the folder, I wasn't aware that he was representing any of the parties; but did find a Motion for Cotninuance submitted by his firm dated 6-21-2010; case was reset for 12-6-2010 at 2:30 p.m. (the date was good for Guzman's appearance). sg  
 11/08/2010 **Telephone Conversation**  
 | I was able to make contact with the plaintiff's daughter who owns Trends/Traditions and left word with her for them regarding my error in not notifying the defendant's attorney Mr. Guzman; she said she would relay the message to them. sg  
 12/01/2010 **Motion To Withdraw As Counsel** (Judicial Officer: Hernandez, Margie H. )  
 | submitted this day; it will be heard right before the trial by judge. sg  
 12/06/2010 **Trial By Judge** (2:30 PM) (Judicial Officer Hernandez, Margie H.)  
 | 11/09/2010 Continued to 12/06/2010 - Court - Becerra, Monica; Becerra, Ruben  
 12/06/2010 **Dismissed At Trial** (Judicial Officer: Hernandez, Margie H. )  
 | amount being sued for is outside of the jurisdiction of this court; case dismissed without prejudice. sg

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**FINANCIAL INFORMATION**

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	<b>Plaintiff</b> McCollum, Ben		
	Total Financial Assessment		181.00
	Total Payments and Credits		181.00
	<b>Balance Due as of 05/06/2018</b>		<b>0.00</b>
03/01/2010	Transaction Assessment		51.00
03/01/2010	Transaction Assessment		65.00
03/01/2010	Transaction Assessment		65.00
03/01/2010	Payment	Receipt # 2010-00719-JP12	(181.00)
		McCollum, Ben	