

Case No. 20-JDC21-08685

**PORTFOLIO RECOVERY ASSOCIATES,
LLC**

Plaintiff

v.

BERNAL G CHAVES

Defendant(s)

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In the Justice Court PR 2 PL 1

**of
FORT BEND County Texas**

PLAINTIFF'S NOTICE OF NON-SUIT

COMES NOW Plaintiff **PORTFOLIO RECOVERY ASSOCIATES, LLC** ("Plaintiff") and, in accordance with the Texas Rules of Civil Procedure 162 and 163, provides its Notice of Non-suit of all of its claims against Defendant **BERNAL G CHAVES**("Defendant") without prejudice in the above-styled lawsuit.

Pursuant to existing case law, Plaintiff has a right to a non-suit the moment it makes a timely oral or written request for non-suit. *Hooks v. Fourth Ct. Of Appeals*, 808 S.W.2d 56, 59 (Tex.1991). A non-suit is effective as soon as it is filed or requested from the court. *Greenberg v. Brookshire*, 640 S.W.2d 870, 872 (Tex.1982). When the court signs an order granting a non-suit, it is simply a ministerial act. *Id.* A non-suit nullifies the controversy and renders interlocutory orders in the case moot. *In re Bennett*, 960 S.W.2d 35, 38 (Tex.1997).

In accordance with the foregoing authority, Plaintiff hereby provides notice of its immediate non-suit of all claims against Defendant in the above-styled lawsuit without prejudice.

Respectfully submitted,
RAUSCH STURM
ATTORNEYS IN THE PRACTICE OF DEBT COLLECTION



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Court Original

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