

CAUSE NO. 352-248169-10

**BAT WORLD SANCTUARY and
AMANDA LOLLAR,
*Plaintiffs***

v.

**MARY CUMMINS,
*Defendant***

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IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

352nd JUDICIAL DISTRICT

MOTION FOR CONTEMPT OF COURT AND TO STRIKE PLEADINGS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COME Plaintiffs, Bat World Sanctuary and Amanda Lollar, Movants herein, and request that the Court find the defendant in contempt of court and strike her pleadings. In support of this motion, Movants will show the Court the following:

I.

On November 28, 2011 this Court signed an order ordering Mary Cummins to furnish and disclose to Randall Turner, attorney for the plaintiffs, her home address within ten (10) days. Defendant, Mary Cummins, failed and refused to disclose her home address until eighty-two (82) days later on February 18, 2010. The defendant's deliberate refusal to comply with the Court's order for a period of seventy-two (72) days after the ten-day deadline constitutes contempt of court.

II.

On January 10, 2012 this Court signed an order finding Mary Cummins in contempt of court for refusing to obey the Court's order of November 9, 2011 and ordering her to pay plaintiffs, Bat World Sanctuary and Amanda Lollar, the sum of one hundred dollars (\$100) each day beginning January 9, 2012 until Mary Cummins disclosed her home address to Randall Turner. Mary Cummins did not disclose her home address as ordered until February 18, 2012 which was forty (40) days after January 9, 2012 and therefore owes the sum of \$4,000. As of the

date of filing this motion Mary Cummins has failed and refused to pay the amount ordered by the Court and is therefore in contempt of court.

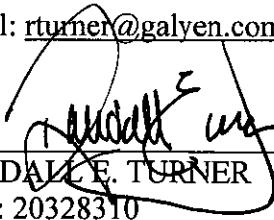
III.

The defendant has repeatedly flouted and deliberately refused to obey the orders of this Court. Therefore, Movants pray that the Court strike the defendant's pleadings and order such other sanctions as the Court deems appropriate.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs request that the Court again find Mary Cummins in contempt of court and strike her pleadings and order such other relief at law or in equity that the Court deems appropriate.

Respectfully submitted,

BAILEY & GALYEN
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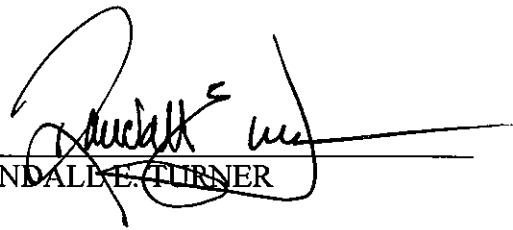
By: 
RANDALL E. TURNER
SBN: 20328310
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon the Attorney of record (or Pro Se Defendant) of all parties to the above-entitled and numbered cause in accordance with TEX. R. CIV. P. 21a, on this 13 day of April, 2012, by the following method:

- personal delivery
- telephonic document transfer (fax)
- certified mail
- courier receipted delivery

Via Facsimile: (310)494-9395
Mary Cummins, Defendant
645 W. 9th St., #110-140
Los Angeles, California 90015



RANDALL E. TURNER

CAUSE NO. 352-248169-10

**BAT WORLD SANCTUARY and
AMANDA LOLLAR,
*Plaintiffs***

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IN THE DISTRICT COURT

v.

TARRANT COUNTY, TEXAS

**MARY CUMMINS,
*Defendant***

352nd JUDICIAL DISTRICT

FIAT

Plaintiff's MOTION FOR CONTEMPT OF COURT AND TO STRIKE PLEADINGS was filed on 04/13/2012. Plaintiff requests that the foregoing be set for hearing before the May 11, 2012 hearing deadline set out in the scheduling order for this cause.

IT IS THEREFORE ORDERED that a hearing before this court on said Motion be set for the _____ day of _____ at _____ a.m./p.m. in the 352nd District Court of Tarrant County, Fort Worth, Texas.

Date _____.

Judge Presiding