

NO. <u>12-CCV-048360</u>

ANTHONY B. BENTON	§ IN THE COUNTY COURT AT LAW
Plaintiff,	§
v.	§ § NO. 1 §
GENEANE MERRITT Defendant.	§ § FORT BEND COUNTY, TEXAS
Defendant.	§ FORT BEND COUNTY, TEXAS

JUDGMENT

A trial in this cause was held on November 13-15, 2013.

Anthony B. Bentøn, Plaintiff herein, appeared and announced ready for trial by and through his attorney of record Oscar M. Telfair III.

Geneane Merritt, Defendant herein, appeared and announced ready for trial by and through her attorney of record Sandra Weber Fullerton.

A jury was duly accepted, impaneled, and sworn. The jury returned its verdict for after hearing the evidence, argument, and the Court's instructions, and after receiving any special instructions and issues. Based on the jury's verdict, it is adjudged:

1. With respect to the cause of action for breach of the lease agreement asserted by Plaintiff against Geneane Merritt, the jury finds in favor of said Plaintiff.

Plaintiff is entitled to recover the following:

- (a) Actual damages in the amount of \$6,000.00 for unpaid rent.
- (b) Actual damages in the amount of \$4,819.00 for the costs of repairs and replacement.
- 2. With respect to the cause of action for wrongful withholding of last month's rent asserted by Plaintiff against Geneane Merritt, the jury finds in favor of said Plaintiff.

Plaintiff is entitled to recover the following:



(a) Special damages in the amount of \$4,500.00 for wrongful withholding of last month's rent.

3. With respect to prejudgment interest Plaintiff is entitled to prejudgment interest on such damages [breach of the lease agreement and wrongful withholding of last month's rent] measured from June 15, 2012, at the rate of 5% per annum, in the sum of \$766.35.

THEREFORE, IT IS ORDERED that Plaintiff shall have and recover JUDGMENT against Geneane Merritt, for breach of lease agreement and wrongful withholding of last month's rent for the total amount of \$16,085.35.

IT IS FURTHER ORDERED that Plaintiff, Anthony B. Benton, is entitled to the sum of \$9,283.28, as attorney's fees, to bear interest at the rate of 5% per annum from the date this judgment is signed until paid.

IT IS FURTHER ORDERED that costs are taxed against Defendant Geneane Merritt in the amount of \$630.00.

IT IS FURTHER ORDERED, unless otherwise provided herein, postjudgment interest shall accrue on the amounts awarded hereinabove at the rate of the signed until paid.

IT IS FURTHER ORDERED that any party in favor of whom judgment is awarded is entitled to enforce this judgment through abstract, execution and any other process necessary.

This judgment finally disposes of all parties and all claims and is appearable.

SIGNED on **Dec** 19, 2013.

JUDGE PRESIDING

APPROVED AS TO FORM:

Oscar M. Telfair III

Attorney for Plaintiff Anthony B. Benton Law Offices of Oscar M. Telfair III, P.C.

13/03 (Turtle Creek Dr.

Missouri City, Texas 77489

Tel. (281) 437-1600

Fax. (281) 437-5717

Sandra Weber Fullerton

Attorney for Geneane Merritt

Sandra Weber Fullerton

7322 Southwest Freeway, Suite 1090

Houston, Texas 77074

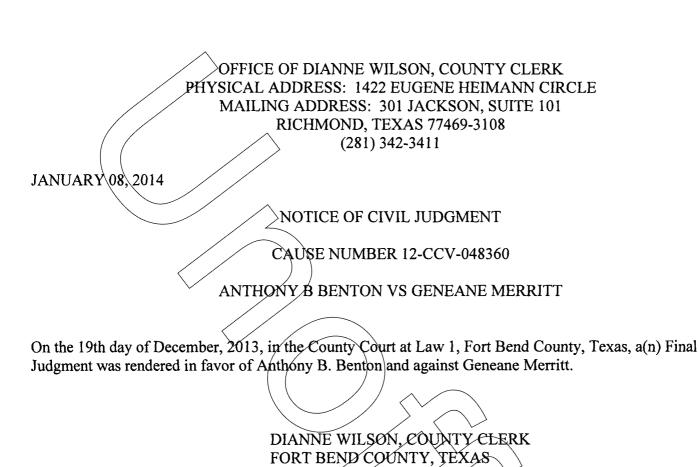
Tel. 832-564-3803

Fax. 832-2011-7348

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Notice of Judgment

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Jamie Zamarripa, Deputy

CC: O Telfair and S Fullerton 01-08-14 JZ