



NO. 12-CCV-048360

ANTHONY B. BENTON
Plaintiff,

V.

GENEANE MERRITT
Defendant.

§ **IN THE COUNTY COURT AT LAW**
§
§
§ **NO. 1**
§
§
§ **FORT BEND COUNTY, TEXAS**

JUDGMENT

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

Anthony B. Benton, 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 *as provided by law 10%* ~~of 10%~~ per annum from the date this judgment is 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 appealable.

SIGNED on Dec 19, 2013.



JUDGE PRESIDING

APPROVED AS TO FORM:

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FILED FOR RECORD
NO. TIME 10:51 P.M.
DEC 19 2013
Adriana Flores
County Clerk Fort Bend Co., Tex.

301213

OFFICE OF DIANNE WILSON, COUNTY CLERK
PHYSICAL ADDRESS: 1422 EUGENE HEIMANN CIRCLE
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JANUARY 08, 2014

NOTICE OF CIVIL JUDGMENT

CAUSE NUMBER 12-CCV-048360

ANTHONY B BENTON VS GENEANE MERRITT

On the 19th day of December, 2013, in the County Court at Law 1, Fort Bend County, Texas, a(n) Final Judgment was rendered in favor of Anthony B. Benton and against Geneane Merritt.

DIANNE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS

BY

JAMIE ZAMARRIPA
Jamie Zamarripa, Deputy

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