

OFFICIAL RECEIPT



Michael Gould, Collin County District Clerk
2100 Bloomdale Road Suite 12132
McKinney TX 75071
Main Line (972)548-4320
Criminal Collections (972)548-4317

Payor
Lopez, Freddie Luis
12289 County Road 800
Nevada, TX 75173

Receipt No.
DC-49241-2025

Transaction Date
12/09/2025

Description	Amount Paid
Lopez, Freddie Luis 493-06592-2025 Freddie Luis Lopez (a/ka/a Freddie America), Plaintiff, Pro Se 12289 County Road 800 Nevada, TX 75173 Freddie1@freddieamerica.com v. Collin County Appraisal District 250 Eldorado Parkway McKinney, TX 75173 Collin County Tax Assessor--Collector, 2300 Bloomdale Road McKinney, TX 75070 Glenn Hegar, Texas Comptroller of Public Accounts (Official Capacity), 111 E. 17th Street Austin, TX 78774	
Copies	10.00
Clerk's Record - Appeal	230.00
Request for CD Copy	20.00
SUBTOTAL	260.00
Remaining Balance Due: \$0.00	

PAYMENT TOTAL **260.00**

Credit Card (Ref #2160575946)	260.00
Tendered	
Total Tendered	260.00
Change	0.00

12/09/2025
10:39 AM

Cashier
Station W4

Audit
9176546

OFFICIAL RECEIPT

Cause No. 493-06592-2025

FREDDIE LUIS LOPEZ,
a/k/a "Freddie America"

v.

COLLIN COUNTY APPRAISAL DISTRICT
et. al.

§
§
§
§
§
§

IN THE DISTRICT COURT

493rd JUDICIAL DISTRICT

COLLIN COUNTY, TEXAS

**ORDER GRANTING COLLIN TAX ASSESSOR-COLLECTOR'S
MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a,
OR ALTERNATIVELY, PLEA TO THE JURISDICTION**

Came on to be considered Defendant Collin County Tax Assessor-Collector's MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a, OR ALTERNATIVELY, PLEA TO JURISDICTION. The Court, having considered same and the Plaintiff's RESPONSE, and the City's REPLY, is of the opinion that such MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a, OR ALTERNATIVELY, PLEA TO JURISDICTION should be granted and Plaintiff's claims against the Collin County Tax Assessor-Collector should be dismissed with prejudice.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that Defendant Collin County Tax Assessor-Collector's MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a, OR ALTERNATIVELY, PLEA TO JURISDICTION be and hereby is GRANTED and Plaintiff's claims against Collin County Tax Assessor-Collector be and hereby are DISMISSED WITH PREJUDICE.

Costs of court are taxed against the Plaintiff, for which let execution issue.

Signed this the 16th day of October, 2025.


JUDGE PRESIDING

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 106984635

Filing Code Description: Court Action-Signed Order

Filing Description: ORDER GRANTING COLLIN TAX

ASSESSOR-COLLECTOR'S MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a, OR ALTERNATIVELY, PLEA TO THE JURISDICTION

Status as of 10/20/2025 10:58 AM CST

Associated Case Party: FreddieLuisLopez

Name	BarNumber	Email	TimestampSubmitted	Status
Freddie LuisLopez		freddie1@freddieamerica.com	10/17/2025 1:09:16 PM	SENT

Associated Case Party: Collin Central Appraisal District

Name	BarNumber	Email	TimestampSubmitted	Status
Jennifer TPettit		jennifer@saunderswalsh.com	10/17/2025 1:09:16 PM	SENT

Associated Case Party: Collin County Tax Assessor-Collector

Name	BarNumber	Email	TimestampSubmitted	Status
Bob Davis		bdavis@mssattorneys.com	10/17/2025 1:09:16 PM	SENT
Kyle Barry		kbarry@mssattorneys.com	10/17/2025 1:09:16 PM	SENT

Cause No. 493-06592-2025

FREDDIE LUIS LOPEZ,
a/k/a "Freddie America"

v.

COLLIN COUNTY APPRAISAL DISTRICT
et. al.

§
§
§
§
§
§

IN THE DISTRICT COURT

493rd JUDICIAL DISTRICT

Filed: 10/17/2025 3:46 PM
Michael Gould
District Clerk
Collin County, Texas
By Sarah Beasley Deputy
Envelope ID: 106999211

ORDER OF SEVERANCE OF COLLIN TAX ASSESSOR-COLLECTOR

CAME ON to be considered the Collin County Tax Assessor-Collector's UNOPPOSED MOTION TO SEVER. The Court, after considering the motion, reviewing the pleadings and other documents on file, and considering agreements of pro se Plaintiff and the Collin County Tax Assessor-Collector, is of the opinion that said motion should be **GRANTED**.

IT IS, THEREFORE, **ORDERED** by the Court that any and all causes of action by and between Plaintiff and Defendant Collin County Tax Assessor-Collector be severed, made the subject of a separate suit, and assigned its own docket number on the docket of this Court.

IT IS FURTHER ORDERED by the Court that all costs incurred by the Collin County Tax Assessor-Collector expended in the present cause and severed cause be borne by the Plaintiff.

SIGNED on this the _____ day of 10/21/2025 2025.



JUDGE PRESIDING

AFFIDAVIT OF GOOD CAUSE

In Cause No. 493-06592-2025

STATE OF TEXAS)
COUNTY OF COLLIN)

FILED

2025 NOV 10 PM 12:20

MICHAEL GOULD
DISTRICT CLERK
COLLIN COUNTY, TX
B. Macomber DEPUTY

BEFORE ME, the undersigned authority, personally appeared **Freddie Luis Lopez, also known as "Freddie America"**, who being duly sworn, deposes and states as follows:

1. I am the Plaintiff in Cause No. 493-06592-2025, styled *Freddie Luis Lopez a/k/a Freddie America v. Collin County Appraisal District, et al.*, in the 493rd Judicial District Court of Collin County, Texas.
2. On October 16, 2025, the Court conducted a hearing on Defendants' Motion to Dismiss under Texas Rule of Civil Procedure 91a and Plea to the Jurisdiction. The Court orally granted the motion as to the Collin County Tax Assessor-Collector, dismissing those claims with prejudice, and directed counsel to submit a proposed order.
3. A Severance Order was entered on October 21, 2025, separating the Collin County Tax Assessor-Collector into a new cause number. I have not yet been provided with a copy of the signed dismissal order or the new docket number despite multiple written requests.
4. I experienced delays in identifying and contacting the correct court reporter due to recordkeeping irregularities. The reporter who covered the hearing was later confirmed to be **Tessa Neighbors, CSR No. 9370**. I have now obtained the certified transcript, but these delays affected my ability to file a timely Notice of Appeal.
5. The presiding judge, **Hon. Christine Nowak**, was appointed by Governor **Greg Abbott**, who is also a named defendant in this case. I raise this fact solely to preserve the record under **Texas Rule of Civil Procedure 18b(b)(1)** and to maintain the appearance of impartiality in a matter involving the Governor's office. See *Cameron v. Greenhill*, 582 S.W.2d 775 (Tex. 1979); *Kleven v. Texas Dep't of Family & Protective Servs.*, No. 03-15-00074-CV, 2015 WL 4043260 (Tex. App.—Austin July 2, 2015, pet. denied).

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Robert Davis on behalf of Robert Davis

Bar No. 05543500

bdavis@mssattorneys.com

Envelope ID: 106999211

Filing Code Description: Proposed Order

Filing Description: ORDER OF SEVERANCE OF COLLIN TAX

ASSESSOR-COLLECTOR

Status as of 10/21/2025 3:59 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Bob Davis		bdavis@mssattorneys.com	10/17/2025 3:46:52 PM	SENT
Kyle Barry		kbarry@mssattorneys.com	10/17/2025 3:46:52 PM	SENT
Jennifer TPettit		jennifer@saunderswalsh.com	10/17/2025 3:46:52 PM	SENT
Freddie LuisLopez		freddie1@freddieamerica.com	10/17/2025 3:46:52 PM	SENT

OFFICIAL RECEIPT



Michael Gould, Collin County District Clerk
2100 Bloomdale Road Suite 12132
McKinney TX 75071
Main Line (972)548-4320
Criminal Collections (972)548-4317

Payor
Lopez, Freddie Luis
12289 County Road 800
Nevada, TX 75173

Receipt No.
DC-45721-2025

Transaction Date
11/10/2025

Description	Amount Paid
Lopez, Freddie Luis 493-06592-2025 Freddie Luis Lopez (a/ka/a Freddie America), Plaintiff, Pro Se 12289 County Road 800 Nevada, TX 75173 Freddie1@freddieamerica.com v. Collin County Appraisal District 250 Eldorado Parkway McKinney, TX 75173 Collin County Tax Assessor--Collector, 2300 Bloomdale Road McKinney, TX 75070 Glenn Hegar, Texas Comptroller of Public Accounts (Official Capacity), 111 E. 17th Street Austin, TX 78774	4.00
Copies	4.00
SUBTOTAL	
Remaining Balance Due: \$0.00	

PAYMENT TOTAL **4.00**

Credit Card (Ref #2123605603)	4.00
Tendered	
Total Tendered	4.00
Change	0.00

11/10/2025
12:11 PM

Cashier
Station W2

Audit
9140947

OFFICIAL RECEIPT

Cause No. 493-06592-2025

FREDDIE LUIS LOPEZ,
a/k/a "Freddie America"

v.

COLLIN COUNTY APPRAISAL DISTRICT
et. al.

§
§
§
§
§
§
§

IN THE DISTRICT COURT

493rd JUDICIAL DISTRICT

COLLIN COUNTY, TEXAS

**ORDER GRANTING COLLIN TAX ASSESSOR-COLLECTOR'S
MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a,
OR ALTERNATIVELY, PLEA TO THE JURISDICTION**

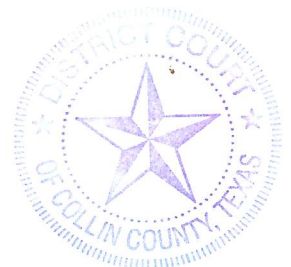
Came on to be considered Defendant Collin County Tax Assessor-Collector's MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a, OR ALTERNATIVELY, PLEA TO JURISDICTION. The Court, having considered same and the Plaintiff's RESPONSE, and the City's REPLY, is of the opinion that such MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a, OR ALTERNATIVELY, PLEA TO JURISDICTION should be granted and Plaintiff's claims against the Collin County Tax Assessor-Collector should be dismissed with prejudice.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that Defendant Collin County Tax Assessor-Collector's MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a, OR ALTERNATIVELY, PLEA TO JURISDICTION be and hereby is GRANTED and Plaintiff's claims against Collin County Tax Assessor-Collector be and hereby are DISMISSED WITH PREJUDICE.

Costs of court are taxed against the Plaintiff, for which let execution issue.

Signed this the 16th day of October, 2025.

JUDGE PRESIDING



Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 106984635

Filing Code Description: Court Action-Signed Order

Filing Description: ORDER GRANTING COLLIN TAX

ASSESSOR-COLLECTOR'S MOTION TO DISMISS UNDER TEXAS RULE OF CIVIL PROCEDURE 91a, OR ALTERNATIVELY, PLEA TO THE JURISDICTION

Status as of 10/20/2025 10:58 AM CST

Associated Case Party: FreddieLuisLopez

Name	BarNumber	Email	TimestampSubmitted	Status
Freddie LuisLopez		freddie1@freddieamerica.com	10/17/2025 1:09:16 PM	SENT

Associated Case Party: Collin Central Appraisal District

Name	BarNumber	Email	TimestampSubmitted	Status
Jennifer TPettit		jennifer@saunderswalsh.com	10/17/2025 1:09:16 PM	SENT

Associated Case Party: Collin County Tax Assessor-Collector

Name	BarNumber	Email	TimestampSubmitted	Status
Bob Davis		bdavis@mssattorneys.com	10/17/2025 1:09:16 PM	SENT
Kyle Barry		kbarry@mssattorneys.com	10/17/2025 1:09:16 PM	SENT



APPELLANT'S RESPONSE TO COURT'S NOTICE REGARDING REPORTER'S RECORD

COURT OF APPEALS

FIFTH DISTRICT OF TEXAS AT DALLAS

Case No. 05-25-01504-CV

Trial Court No. 493-06592-2025

**Freddie Luis Lopez, also known as Freddie
America, Appellant v.
Collin County Tax Assessor-Collector, Appellee**

FILED IN
Court of Appeals

NOV 17 2025

Ruben Morin
Clerk, 5th District

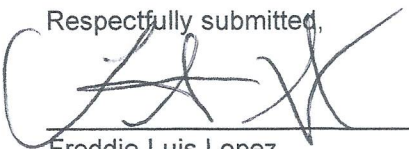
To the Honorable Court:

Appellant Freddie Luis Lopez, also known as Freddie America, files this Response to the Court's Notice. Appellant respectfully shows the following:

1. On November 17, 2025, Appellant contacted the official court reporter, Tessa Neighbors, to arrange for the reporter's record.
2. On that same date, Appellant paid \$80.00 via Zelle for the reporter's record. Payment was made to "Tess Neighbors (Court documents)."
3. A true and correct copy of the payment receipt is attached as Exhibit A.

Accordingly, Appellant has fully complied with Texas Rule of Appellate Procedure 35.3(b) and respectfully requests that the Court note compliance and allow the reporter's record to be filed.

Respectfully submitted,



Freddie Luis Lopez
also known as Freddie America
Appellant, Pro Se

6:42



Zelle®



Payment Sent

\$80.00 Sent



to Tess Neighbors (Court documents)

Enrolled as TESSA NEIGHBORS

for Court transcripts

The money will typically be available in Tess's account in minutes.

Confirmation #: 4580474864

ALL DONE

MOTION FOR EXTENSION OF TIME TO FILE NOTICE OF APPEAL AND TO CLARIFY CASE NUMBER

In Cause No. 493-06592-2025

NOTICE TO THE COURT:

This motion is time-sensitive due to the Court's prior dismissal with prejudice and the resulting appellate deadlines.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, **Freddie Luis Lopez (a/k/a Freddie America)**, Plaintiff, appearing pro se, and respectfully moves this Honorable Court for a brief extension of time to file his Notice of Appeal and for clarification of the proper case number following severance. This request is made in good faith, not for purposes of delay, but to ensure that the appellate record is complete, accurate, and properly designated.

I. Procedural Background

On October 16, 2025, the Court heard argument on Defendants' Motion to Dismiss under Rule 91a and their Plea to the Jurisdiction. The Court orally granted the motion as to the Collin County Tax Assessor-Collector, dismissed those claims with prejudice, and directed counsel to submit a proposed order. A Severance Order was subsequently filed on October 21, 2025, separating the Tax Assessor-Collector from the remaining defendants. Despite diligent inquiry, Plaintiff has not yet received the new case number or a fully executed order reflecting that ruling.

II. Urgency and Preservation of Appellate Rights

Because the dismissal was entered with prejudice, the ruling materially and permanently affects Plaintiff's rights. The confusion surrounding the severance, issuance of a new cause number, and delay in receipt of the written order risk depriving Plaintiff of a meaningful opportunity to perfect his appeal. An extension is therefore necessary to safeguard appellate jurisdiction once all relevant documents are finalized.

III. Transcript and Diligence

The October 16 hearing was reported by a substitute court reporter later identified as **Tessa Neighbors, CSR No. 9370**. Plaintiff experienced difficulty confirming her identity and obtaining the certified transcript due to record keeping irregularities within the 493rd District Court. Plaintiff has since formally requested and received confirmation of Ms. Neighbors' certification and has paid for the transcript. These efforts reflect ongoing diligence, not delay.

IV. Record Clarification

Plaintiff intends to obtain from the Collin County District Clerk a certified copy of all filings, docket entries, and orders entered since October 16, 2025, together with the official assignment of any new case number created by severance. Clarification of the record is critical to ensure that the transcript,

FILED

2025 NOV 10 PM 12:18

MICHAEL GOULD
DISTRICT CLERK
COLLIN COUNTY, TX
BY *Shudwin* DEPUTY

intentional bias but raises the issue under **Texas Rule of Civil Procedure 18b(b)(1)** to preserve the record and to ensure the appearance of impartiality in proceedings involving the Governor's office. In constitutional cases implicating state power, even the appearance of potential bias may undermine public confidence in the integrity of the judicial process.

See *Cameron v. Greenhill*, 582 S.W.2d 775 (Tex. 1979) (appearance of impropriety erodes public confidence in the judiciary); *Kleven v. Texas Dep't of Family & Protective Servs.*, No. 03-15-00074-CV, 2015 WL 4043260 (Tex. App.—Austin July 2, 2015, pet. denied) (appearance of bias may suffice under Rule 18b).

VI. Prayer

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that this Honorable Court grant an extension of thirty (30) days from the date Plaintiff receives (i) the signed order(s) reflecting the October 16, 2025 rulings, or (ii) the certified transcript of that hearing—whichever occurs later—to file a Notice of Appeal. Plaintiff further requests that the Court clarify the severed cause number and grant such other and further relief, at law or in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

FREDDIE LUIS LOPEZ

Plaintiff, Pro Se

12289 County Road 800

Nevada, Texas 75173

Email: freddie1@freddieamerica.com

Phone: (214) 537-5287

CAUSE NO. 493-06592-2025
FREDDIE LUIS LOPEZ v. COLLIN COUNTY APPRAISAL DISTRICT, et al.
IN THE DISTRICT COURT OF COLLIN COUNTY, TEXAS
493RD JUDICIAL DISTRICT

**ORDER GRANTING MOTION FOR EXTENSION OF TIME TO FILE NOTICE OF
APPEAL AND TO CLARIFY CASE NUMBER 493-06592-2025**

On this day, the Court considered Plaintiff's Motion for Extension of Time to File Notice of Appeal and to Clarify Case Number. After considering the motion and matters of record, the Court finds good cause exists to grant the relief requested.

IT IS THEREFORE ORDERED that Plaintiff is granted an extension of thirty (30) days to file a Notice of Appeal, to run from the date Plaintiff receives either (i) the signed order(s) reflecting the October 16, 2025 rulings or (ii) the certified transcript of that hearing, whichever occurs later. The Court further clarifies that the severed cause number associated with the October 17, 2025 Severance Order is _____.

SIGNED this ____ day of _____, 2025.

HON. CHRISTINE NOWAK
Judge Presiding, 493rd Judicial District Court
Collin County, Texas

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Notice of Appeal was served on all counsel of record via e-service or email on November 10, 2025, including:

Robert Davis, Matthews, Shiels, Knott, Eden, Davis & Beanland, LLP – *bdavis@mssattorneys.com*

Katie Hicks, Saunders, Walsh & Beard – *jennifer@saunderswalsh.com* (firm contact on prior e-service)

Any other parties of record through the Court's e-filing system.

**IN THE DISTRICT COURT
493rd JUDICIAL DISTRICT
COLLIN COUNTY, TEXAS**

In Cause No. 493-06592-2025

FILED

2025 NOV 10 PM 12:23

MICHAEL COULD
DISTRICT CLERK
COLLIN COUNTY, TX
BY *Michael* DEPUTY

FREDDIE LUIS LOPEZ, AKA Freddie America,"
Plaintiff,

v.

**COLLIN COUNTY APPRAISAL DISTRICT;
COLLIN COUNTY TAX ASSESSOR-COLLECTOR;
GLENN HEGAR, Texas Comptroller; and
GOVERNOR GREG ABBOTT, Defendants.**

NOTICE OF APPEAL

TO THE HONORABLE COURT: Plaintiff, **Freddie Luis Lopez, also known as "Freddie America"** ("Appellant"), hereby gives notice that he appeals the Court's ruling from the hearing held on **October 16, 2025**, and any written order entered thereafter, granting the *Motion to Dismiss under Texas Rule of Civil Procedure 91a, or alternatively Plea to the Jurisdiction* as to the Collin County Tax Assessor-Collector, and ordering severance. This appeal is taken to the **Fifth Court of Appeals at Dallas, Texas**. Appellant is filing concurrently a **Motion for Extension of Time to File Notice of Appeal and to Clarify Case Number**, based on delays and confusion regarding the severance order, the entry of a new cause number, and the identification and production of the certified reporter's record. Appellant requests the District Clerk prepare and transmit the Clerk's Record and that the court reporter prepare and file the Reporter's Record for the October 16, 2025 proceedings.

Dated: **November 10, 2025**

Respectfully submitted,

FREDDIE LUIS LOPEZ, also known as "Freddie America"

Plaintiff, Pro Se

12289 County Road 800

Nevada, Texas 7517

Appellate Issue Summary

Introduction:

This summary outlines the principal issues for appeal arising from the October 16, 2025 hearing in the 493rd Judicial District Court of Collin County, Texas, presided over by the Honorable Christine Nowak. It accompanies the Notice of Appeal, Motion for Extension of Time, and Affidavit of Good Cause filed by Freddie Luis Lopez, also known as “Freddie America.”

Issue 1 – Improper Dismissal Under Rule 91a

The trial court erred in granting dismissal under Rule 91a because the Plaintiff’s pleadings raised a legitimate constitutional claim under Article VIII of the Texas Constitution. Rule 91a applies only when a petition has no basis in law or fact, even if all allegations are accepted as true. Mr. Lopez alleged unconstitutional taxation, which constitutes a valid claim.

Issue 2 – Improper Granting of Plea to the Jurisdiction

The court improperly applied sovereign immunity to the Collin County Tax Assessor-Collector. When officials act outside their lawful authority or violate constitutional rights, they are subject to suit under the ultra vires doctrine. Immunity does not extend to unconstitutional actions. See *City of El Paso v. Heinrich*, 284 S.W.3d 366 (Tex. 2009).

Issue 3 – Failure to Consider Ultra Vires Conduct

Plaintiff asserted that the Tax Assessor-Collector and other state officials acted in an ultra vires manner by enforcing unconstitutional tax valuations. Actions taken beyond lawful authority are not protected by sovereign immunity and must be reviewed by the court.

Issue 4 – Appearance of Bias and Due Process Violation

The presiding judge, Hon. Christine Nowak, was appointed by Defendant Governor Greg Abbott. Under Tex. R. Civ. P. 18b(b)(1), a judge must recuse where impartiality might reasonably be questioned. See *Cameron v. Greenhill*, 582 S.W.2d 775 (Tex. 1979) (appearance of impropriety undermines confidence in the judiciary); *Kleven v. Texas Dep't of Family & Protective Servs.*, No. 03-15-00074-CV, 2015 WL 4043260 (Tex. App.—Austin July 2, 2015, pet. denied) (appearance of bias may suffice under Rule 18b).

Summary Statement:

The cumulative effect of these errors denied Plaintiff's right to due process and equal protection under the Texas and United States Constitutions. The appeal seeks reversal of the dismissal, reinstatement of claims against the governmental defendants, and remand for further proceedings before an impartial tribunal.

Dated: November 10, 2025

Respectfully submitted,

FREDDIE LUIS LOPEZ

A/K/A "Freddie America"

Plaintiff, Pro Se

12289 County Road 800

Nevada, Texas 75173

Email: freddie1@freddieamerica.com

REPORTER'S CERTIFICATE

STATE OF TEXAS)

COUNTY OF COLLIN)

I, TESSA NEIGHBORS, Deputy Court Reporter in and for the 493rd District Court of Collin County, State of Texas, do hereby certify that the above and foregoing contains a true and correct transcription of all portions of evidence and other proceedings requested in writing by counsel for the parties to be included in this volume of the Reporter's Record, in the above-styled and numbered cause, all of which occurred in open court or in chambers and were reported by me.

I further certify that this Reporter's Record of the proceedings truly and correctly reflects the exhibits, if any, admitted by the respective parties.

I further certify that the total cost for the preparation of this Reporter's Record is \$77.00 and was paid/will be paid by Mr. Freddie Lopez.

WITNESS MY OFFICIAL HAND this the 28th day of October, 2025.

/S/ Tessa Neighbors
TESSA NEIGHBORS, CSR
Texas CSR No. 9370
Date of Expiration: 07-31-2026
2354 FM 902
Sherman, Texas 75090
(903) 821-6731

1 order. If you have one at this time, if you could
2 please present it. There is not one that has been
3 provided.

4 MR. DAVIS: I will electronically -- I was
5 waiting on Your Honor's ruling, but I will
6 electronically submit a proposed order that tracks Your
7 Honor's ruling.

8 THE COURT: Then at this time, having
9 concluded the proceedings before this Court, we will be
10 adjourned.

11 (Court is adjourned.)
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 Honor. The constitution is the remedy. The Texas
2 Constitution is the remedy. The United States
3 Constitution is a remedy. And their own tax code is a
4 remedy. Thank you.

5 THE COURT: Thank you. Any further
6 response?

7 MR. DAVIS: Just that Mr. Lopez's remedy is
8 to go to the Legislature, and have them change the way
9 that appraisals are done, but that is not a matter for
10 Mr. Grigg, the Tax Assessor-Collector. At this point as
11 a matter of law, a dismissal should follow with
12 prejudice.

13 MR. LOPEZ: No, Your honor. Objection,
14 Your Honor. I'm not saying that. I'm sorry. Can I say
15 that? May I object or not?

16 THE COURT: You have had an opportunity to
17 respond here today. And each of you has staked out your
18 respective positions. I think at this juncture, it's
19 time for the Court to rule. On the record before the
20 Court, it is proper and appropriate for the the Court to
21 grant the Motion to Dismiss. It is filed as a Rule 91a
22 and as well as a Plea to Jurisdiction and the Court
23 finds that under either, it would be appropriate to
24 grant. Again, the motion itself is limited to the Tax
25 Assessor. And I will ask Mr. Davis for a proposed

1 opinion from what I have read. They are claiming I have
2 no constitutional claim. And under Article 8,
3 Section 1, fair and equal is not being applied to my
4 property. I woke up one morning buying the property at
5 \$256,000. The next day the Appraisal Board and the Tax
6 Assessors charged me \$80,000 on a gross value that
7 doesn't exist. No one has offered me that kind of
8 money. And that's how it becomes unconstitutional. I'm
9 questioning the constitutionality of what they are
10 doing. I think it is unconstitutional. I'm not just
11 arguing for me. I'm arguing for my town. I think they
12 are doing it to everyone, but mostly my family here
13 because they are doing harm. They are continuing to do
14 harm. And I went through their process of the tax
15 rules, Rule 42 -- whatever that board rule is, 43 -- and
16 I presented my argument, and I went in front of a board
17 that I felt was biased, and even the presumption of bias
18 is unconstitutional. So my case does have merit. It is
19 a constitutional question that needs to be set to a
20 trial. Them asking for immunity is the same thing as
21 asking for a trial. They themselves in the argument are
22 asking for immunity and they're asking for a trial.
23 They plea to the wrongdoing to me. And they say they're
24 doing wrong under their GoDaddy case, but yet they say
25 there is no remedy for it. And there is a remedy, Your

1 Assessor-Collector Scott Grigg be dismissed with
2 prejudice at this point, and that we be released from
3 this case.

4 THE COURT: Thank you. Sir, your response?
5 I will just note that the Court received a response and
6 then an amended response. Obviously, an amended
7 response fully supplants and replaces the original
8 response. The Court has had an opportunity to review
9 that. Against that backdrop, I will hear from you, sir.

10 MR. LOPEZ: Thank you, Your Honor. Freddie
11 Lopez for Freddie America for the record. Your Honor,
12 they are all intertwined. They are all one, the tax
13 collectors. They act as an agent. They are claiming
14 immunity. Immunity doesn't apply to Rule 91 here.
15 Also, Your Honor, my argument basically says that all in
16 my response, but the basic principle here is, Your
17 Honor, harm doesn't necessarily have to happen, but the
18 harm that is going to happen if they proceed. So what
19 I'm saying is this. They are claiming that this is a
20 tort. This is not a tort. They are saying that I'm
21 asking for money back. I'm only asking what is due to
22 me for what they took that is unconstitutional. I put
23 that in my brief. So for that reason, I'm asking that
24 you dismiss their Motion 91 -- the Rule 91 because the
25 pleading is the wrong jurisdiction to begin with in my

1 fundamental jurisdictional and legal bars. As a
2 preliminary matter, Mr. Grigg is an employee or elected
3 official of the County. It appears that Mr. Lopez is
4 asserting some type of tort actions. Therefore, under
5 the Texas Tort Claims Act, Section 101-106, upon the
6 filing of this motion, Mr. Lopez was required to
7 substitute the County within 30 days. If he does not do
8 that, the dismissal of the individual employee is
9 automatic. He did not do that. So that's the first
10 issue. The second issue is that he begrudges tax
11 foreclosure sales, but he doesn't appear to have one.
12 So the issue is not even ripe for this Court. Based on
13 my reading of the pleadings, there is no active
14 foreclosure proceedings of any kind against his real
15 property. There is really no justiciable controversy
16 before the Court. The third reason why the Court should
17 dismiss the claim is he is seeking damages under the
18 Texas Constitution. The Texas Supreme Court has said
19 there is no right to monetary relief under the Texas
20 Constitution, unlike Section 1983 in the federal realm,
21 there is no parallel process in State Court. So to the
22 extent that he is seeking any recovery of money damages
23 under the Texas Constitution, that is not an appropriate
24 claim. So for those three independent reasons, we would
25 respectfully request that Collin County Tax

1 Collin Tax Assessor-Collector's Motion to Dismiss under
2 Texas Rule of Civil Procedure 91a -- bear with me, I
3 want to read the entire title into the record -- or
4 alternatively, Plea to the Jurisdiction. At this time,
5 we are going to go ahead and proceed with argument in
6 connection with the motion. I will hear from the Movant
7 first. And sir, I will permit you an opportunity to
8 respond. And then we will conclude with final remarks
9 from the Movant. Against that backdrop, sir, you may
10 proceed.

11 MR. DAVIS: Thank you, Your Honor. May it
12 please the Court, Bob Davis on behalf of the Collin
13 County Tax Assessor-Collector. I know Your Honor has
14 read the motion, so I will just hit the high points.
15 Essentially, Mr. Lopez has sued the Appraisal District,
16 the Tax Assessor-Collector. I believe he is now trying
17 to add the Governor of the State of Texas as a party.
18 He begrudges the tax code and the procedure for tax
19 foreclosure sales, arguing they are unconstitutional.
20 It is an interesting argument, but it is not one that
21 applies to the Tax Assessor-Collector. Mr. Grigg does
22 not set the rates. Mr. Grigg does not impose tax rates.
23 He is -- not to demean his role -- he collects the
24 money. Mr. Lopez has sued the wrong party for the
25 relief he apparently wants. But there is some more

1 P R O C E E D I N G S

2 THE COURT: At this time the Court calls
3 Cause Number 493-06592-2025. This is Freddie Luis
4 Lopez, also known as Freddie America versus Collin
5 County Appraisal District, et al. At this time if I can
6 have an appearance on behalf of the Plaintiff. Sir, if
7 you will speak into that microphone, I need for you to
8 tell me your full name, and then please spell it.

9 MR. LOPEZ: Thank you, Your Honor. Freddie
10 F-r-e-d-d-i-e, Lopez, L-o-p-e-z.

11 THE COURT: Thank you. If I can have an
12 appearance on behalf of Defendants?

13 MR. DAVIS: Good morning, Your Honor. Bob
14 Davis here on behalf of Collin County Tax
15 Assessor-Collector, Scott Grigg. And Mr. Grigg is here
16 present in the gallery.

17 THE COURT: Thank you.

18 MS. HICKS: Katie Hicks on behalf of Collin
19 Central Appraisal District.

20 THE COURT: And Ms. Hicks, if could you
21 please spell that for the record.

22 MS. HICKS: It's H-i-c-k-s is my last name,
23 and K-a-t-i-e is my first name.

24 THE COURT: Thank you. Counsel, we are
25 scheduled here today to proceed in connection with the

I N D E X

	PAGE
Defendant's argument	5
Plaintiff's argument	7
Defendant's final remarks	9
Judge's ruling	9
Court is adjourned	10
Court reporter's certificate	11

NO EXHIBITS

A P P E A R A N C E S

FOR THE PLAINTIFF:

Mr. Freddie Lopez, Pro Se
12289 County Road 800
Nevada, TX 75173
(214) 537-5289

FOR THE DEFENDANT COLLIN COUNTY TAX ASSESSOR-COLLECTOR:

Mr. Robert Davis
SBOT: #05543500
Matthews, Shiels, Knott, Eden, Davis & Beanland, LLP
8131 LBJ Freeway, Suite 700
Dallas, TX 75251
(972) 234-3400

FOR THE DEFENDANT COLLIN COUNTY APPRAISAL DISTRICT:

Ms. Katie Hicks
SBOT: #24079451
Saunders, Walsh & Beard
6850 TPC Drive, Suite 210
McKinney, TX 75070
(214) 919-3555

REPORTER'S RECORD

CAUSE NO. 493-06592-2025

FREDDIE LUIS LOPEZ

) IN THE DISTRICT COURT

)

)

V.

) COLLIN COUNTY, TEXAS

)

COLLIN COUNTY APPRAISAL
DISTRICT, COLLIN COUNTY
TAX ASSESSOR-COLLECTOR,
GLENN HEGAR, AND GOVERNOR
GREGG ABBOTT

)

)

)

) 493RD JUDICIAL DISTRICT

MOTION TO DISMISS

On the 16th day of October, 2025, the following
proceedings came on to be heard in the above-entitled
and numbered cause before the Honorable Christine Nowak,
Judge presiding, held in McKinney, Collin County, Texas.

Proceedings reported by machine shorthand.

IN THE COURT OF APPEALS
FIFTH DISTRICT OF TEXAS AT DALLAS

FREDDIE LOPEZ a.k.a. FREDDIE AMERICA,

Appellant

v.

COLLIN COUNTY TAX ASSESSOR-COLLECTOR,
TEXAS COMPTROLLER OF PUBLIC ACCOUNTS,

and GOVERNOR GREG ABBOTT,

Appellees

Trial Court Cause No.: 493-06592-2025

On Appeal from the 493rd Judicial District Court

Collin County, Texas

APPELLANT'S ISSUE SUMMARY COVER PAGE

Submitted by:

Freddie Lopez a.k.a. Freddie America

Freddie America LLC

12289 County Road 800

Nevada, Texas 75173

FILED

2025 NOV 12 AM 9:16

MICHAEL GOULD
DISTRICT CLERK
COLLIN COUNTY, TX
BY: *Shuebm* DEPUTY

Phone: (214) 537-5287

Email: freddie1@freddieamerica.com

(Pro Se Appellant)

Appellant's Issue Summary

Freddie Lopez a.k.a. Freddie America v. Collin County Tax Assessor-Collector, et al.

In the 493rd Judicial District Court of Collin County, Texas
On appeal to the Fifth Court of Appeals, Dallas, Texas

Issue 1 – Abuse of Discretion in Granting Rule 91a Motion

The trial court erred by granting the Defendant's Rule 91a Motion to Dismiss where Plaintiff's pleadings alleged valid constitutional claims under Article VIII §§ 1 and 24 of the Texas Constitution and the Fifth and Fourteenth Amendments of the U.S. Constitution. The court treated fact-based constitutional challenges as legal insufficiency, contrary to Rule 91a's limited scope. A Rule 91a motion is not a substitute for evidence or trial and must be denied where factual issues exist.

Issue 2 – Plea to the Jurisdiction Misapplied to Constitutional Claims

The trial court improperly granted a Plea to the Jurisdiction to dismiss constitutional claims seeking declaratory and injunctive relief. Under *City of El Paso v. Heinrich*, 284 S.W.3d 366 (Tex. 2009), ultra vires actions and constitutional violations are exceptions to sovereign

immunity. Plaintiff's claims against state officials were directed at unlawful taxation practices, not against the State itself. The dismissal deprived Plaintiff of a venue to challenge ongoing ultra vires acts.

Issue 3 – Failure to Hear or Rule on Plaintiff's Emergency Motion Alleging Government Harassment

The trial court erred by dismissing Plaintiff's Emergency Motion for Protective and Injunctive Relief without a hearing or written findings. The motion alleged that agents of the Texas Comptroller's Office entered and surveilled Plaintiff's property without lawful authority or warrant, constituting harassment and violation of constitutional privacy protections. The court had a mandatory duty under Texas Rule 680 and Article I § 19 of the Texas Constitution to provide notice and an opportunity to be heard before denying injunctive relief. The record reflects no such hearing or order. This failure deprived Plaintiff of due process and further supports the appearance of bias where the court ignored serious allegations of governmental misconduct while summarily ruling in favor of state defendants.

Issue 4 – Violation of Due Process and Appearance of Bias

The trial judge's conduct, tone, and rulings collectively demonstrate bias and denial of due process in violation of

Tex. Const. art. I § 19 and Tex. R. Civ. P. 18b(b)(1). The court's demeanor toward a pro se litigant, its refusal to allow argument, and its quick entry of dismissal without considering pending motions reflect prejudice. The appearance of bias is heightened where the presiding judge was appointed by a defendant's political ally (the Governor), thereby raising questions of impartiality under due process standards.

Issue 5 – Failure to Provide a Fair Hearing or Consider Evidence

The trial court failed to provide a meaningful hearing before dismissing the case. The transcript of the October 16, 2025 hearing shows that Plaintiff was interrupted, restricted in argument, and not permitted to present supporting facts or evidence. Constitutional claims cannot be summarily dismissed without a full and fair opportunity to be heard. Such conduct violates the due course of law clause under Tex. Const. art. I § 19 and the Fourteenth Amendment of the U.S. Constitution.

Issue 6 – Failure to Hear or Rule on Pending Motions

The trial court erred by failing to hear or decide Plaintiff's Motion for Temporary Injunction and related filings directed against the Texas Comptroller and Governor Greg Abbott prior to dismissal. The hearing transcript from October 16, 2025, reflects that only the Collin County Tax Assessor-Collector's Motion to Dismiss under

Rule 91a and Plea to the Jurisdiction was heard. No ruling or hearing occurred on Plaintiff's separate motions, depriving him of a fair opportunity to be heard. This omission constitutes a denial of due process and supports the appearance of bias under Tex. R. Civ. P. 18b(b)(1), particularly where the presiding judge was appointed by a named defendant. The Court's dismissal with prejudice without addressing those pending motions violated Plaintiff's right to a meaningful hearing and impartial adjudication.

Issue 7 – Dismissal With Prejudice as Evidence of Bias and Denial of Due Process

The trial court dismissed Plaintiff's claims with prejudice despite the absence of a full hearing and despite unresolved motions directed at other defendants. Such a dismissal operates as an adjudication on the merits and permanently bars further relief on the same claim. Entering that ruling against a pro se litigant asserting constitutional violations, without allowing a meaningful opportunity to be heard, demonstrates judicial bias and violates due-process protections under Article I § 19 of the Texas Constitution and the Fourteenth Amendment to the U.S. Constitution. Because property appraisals recur annually, each new appraisal constitutes a separate governmental act; therefore, this dismissal cannot bar future claims but nonetheless shows the trial court's prejudicial intent and disregard for Plaintiff's procedural rights.

Issue 8 – Unreasonable Delay and Failure to Timely Hear Plaintiff's Motions

The trial court unreasonably delayed or failed to set hearings on Plaintiff's properly filed motions, including but not limited to Plaintiff's Motion for Temporary Injunction, Emergency Motion, and Motion to Strike. This prolonged inaction prevented Plaintiff from obtaining judicial review of urgent matters affecting substantial rights. The pattern of delay—followed by the court's immediate ruling in favor of the defendants—constitutes arbitrary and capricious conduct and demonstrates a denial of due process. The court's refusal to hear Plaintiff's motions within a reasonable time created the appearance of bias and violated Article I § 19 of the Texas Constitution and the Fourteenth Amendment to the U.S. Constitution.

Conclusion

The trial court's cumulative errors — including failure to hear motions, unreasonable delays, dismissal without due process, and ruling with prejudice — deprived the Plaintiff of constitutional protections and public confidence in judicial impartiality.

Our Founding Fathers created a simple and timeless document — the Constitution — one that every citizen can read and invoke when something is wrong. As in this case, the Constitution was not written to protect the

government from the people, but to protect the people from a government that loses sight of its duty to them.

For these reasons, the judgment below should be reversed and remanded for a full evidentiary hearing before an impartial tribunal, in accordance with the rights guaranteed under both the Texas and United States Constitutions.

Legal Reference Appendix

Texas Rules of Civil Procedure

Rule 45 – Pleadings Defined

Pleadings consist of a petition and an answer, and such other pleadings as may be permitted by the court. The purpose is to give fair notice of the claims and defenses asserted.

Rule 63 – Amended and Supplemental Pleadings

Parties may amend their pleadings as a matter of right at any time before judgment, unless the amendment would surprise the opposite party.

Rule 66 – Trial Amendments

When issues not raised by the pleadings are tried by express or implied consent of the parties, they shall be treated as if raised in the pleadings. The court shall freely allow amendments when justice so requires.

Rule 85(a) – Defensive Pleadings

The original answer may consist of a general denial, one or more special denials, or one or more special pleas, including but not limited to pleas in abatement, pleas to the jurisdiction, and pleas in bar.

→ This rule establishes that a Plea to the Jurisdiction is a special plea — not a motion to dismiss under Rule 91a.

Rule 91a – Motion to Dismiss for No Basis in Law or Fact

Allows dismissal of causes of action that have no basis in law or fact, but the court may consider only the pleadings — not evidence. Rule 91a motions differ from jurisdictional pleas and cannot substitute for them.

Leading Case Authorities

Texas Department of Parks & Wildlife v. Miranda, 133 S.W.3d 217 (Tex. 2004)

A plea to the jurisdiction challenges the trial court's subject matter jurisdiction and may involve consideration of evidence. Courts must accept the plaintiff's factual allegations as true when determining jurisdiction.

City of El Paso v. Heinrich, 284 S.W.3d 366 (Tex. 2009)
Sovereign immunity does not bar suits seeking prospective injunctive relief against state officials acting beyond their lawful authority (*ultra vires*).

Texas Association of Business v. Texas Air Control Board, 852 S.W.2d 440 (Tex. 1993)

Established that subject matter jurisdiction is essential to a court's authority to decide a case and may be raised at any time.