

# United States District Court

for the

Southern District of Texas

Houston Division

Case No. 4:15cv4561

	§	
Michael-Francis: Palma	§	
Plaintiff	§	Jury Trial <u>No</u>
	§	
v.	§	
	§	
State of Texas, et al	§	

## **NOTICE OF CORRECTION ON ORIGINAL PETITION**

The following paragraph is incorrect in the original petition:

“Indeed as shown in Tab J it is the duty of the Sheriff of each county to first ask, under the Texas Property code Secs. 41.021-41.024, the owner to “separate excess land from exempted homestead” so that he may then “give deed for land sold for delinquent taxes” under Texas Tax code Sec. 34.01. This can only be done if the property tax is involuntary.”

Many thanks to the El Paso County Sherriff’s Office, it is because of them I went back and reread these sections of code. I now understand that each debtor has the right to declare the land that he wants to be his Constitutional homestead to the clerk or the judge *and then* the remainder is sold by the sheriff for the debt due. My apologies for the error: it goes to show that sometimes it takes an

explanation by someone who actually does that job or by a judge to explain what things mean.

This was the intent of sending out the Public Information Act requests to all 254 counties, the comptroller and the AG. The varied answers to this request were part of the reason for the filing of this suit.

Date of signing: \_\_\_\_\_

Signature of Plaintiff: \_\_\_\_\_  
Printed name: Michael-Francis: Palma