

264100054585

CAUSE NO. _____

MIDLAND CREDIT MANAGEMENT, INC.
Plaintiff,

vs.

JAIME CABRERA
Defendant

IN THE JUSTICE COURT

PRECINCT 4 PLACE 1

HARRIS COUNTY, TEXAS

IN

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE COURT:

MIDLAND CREDIT MANAGEMENT, INC., the Plaintiff, complains of JAIME CABRERA, the Defendant, and for cause of action shows:

Discovery Level

Plaintiff reserves the right to petition this Court to engage in pretrial discovery pursuant to Rule 500.9 of the Texas Rules of Civil Procedure.

Parties and Service of Citation

The Plaintiff is a foreign limited liability company duly authorized to conduct business in the State of Texas.

The Defendant resides within the venue of the above referenced court and may be served at the following address, or wherever the Defendant may be found:

JAIME CABRERA
2207 ROLLING GLEN DR
SPRING, TX 77373-3171

Venue and Jurisdiction; Relief Sought

Venue is proper in this county because Defendant, a natural person, resides in this county. The amount in controversy is within the jurisdictional limit of this court. The Plaintiff seeks only monetary relief of \$20,000.00 or less, including damages of any kind, penalties, cost, expenses if any. Plaintiff does not seek pre-judgment interest or attorney's fees.

**Plaintiffs Efforts To Resolve
The Underlying Obligation**

Plaintiff, MIDLAND CREDIT MANAGEMENT, INC., owns portfolios of consumer receivables, which it attempts to collect. When working with individual consumers, Plaintiff, MIDLAND CREDIT MANAGEMENT, INC., and its affiliates (collectively, "Plaintiff") generally attempt to contact consumers like Defendant through several means, all in an effort to establish contact and to resolve the underlying

obligation. In doing so, Plaintiff attempts to assess each consumer's willingness to pay, through phone calls, letters or other means. Plaintiff attempts to exclude consumers from its collection efforts, where Plaintiff believes those consumers are facing extenuating circumstances or hardships that would prevent them from making any payments.

When Plaintiff contacts consumers, it strives to treat consumers with respect, compassion and integrity. Plaintiff works with consumers in an effort to find mutually-beneficial solutions, often offering discounts, hardship plans, and payment options. Plaintiff's efforts are aimed at working with consumers to repay their obligations and to attain financial recovery. Plaintiff strives to engage in dialogue that is honorable and constructive, and to play a positive role in consumers' lives.

Despite Plaintiff's efforts to reach consumers and resolve the consumer's obligations, only a percentage of consumers choose to engage with Plaintiff. Those who do are often offered discounts or payment plans that are intended to suit their needs. Plaintiff would prefer to work with consumers to establish voluntary payment arrangements resulting in the resolution of any underlying obligations. However, the majority of Plaintiff's consumers ignore calls or letters, and some simply refuse to repay their obligations despite an apparent ability to do so. When this happens, Plaintiff must decide then whether to pursue collection through legal channels, including litigation like the present action against Defendant. Although the account is now in litigation, Plaintiff remains willing to explore a mutually-beneficial solution through voluntary payment arrangements, if possible.

Count I

Defendant had an account with CREDIT ONE BANK, N.A.. Plaintiff purchased Defendant's debt on or about December 17, 2024. Plaintiff has been assigned the debt, and Plaintiff is now owed money from Defendant. MIDLAND CREDIT MANAGEMENT, INC. is the current owner of the debt, and any prior holders of the debt are listed in the attached Affidavit Relating to Damages and Business Record and are incorporated by reference.

Relevant information related to the account is as follows:

ORIGINAL CREDITOR:	CREDIT ONE BANK, N.A.
ACCOUNT NO.:	XXXXXXXXXXXX-4000
DATE OF CHARGE-OFF:	November 25, 2024
CHARGE-OFF BALANCE:	\$2,185.94
DATE OF ORIGINATION:	October 12, 2018

Count II

Defendant had an account with CREDIT ONE BANK, N.A.. Plaintiff purchased Defendant's debt on or about January 17, 2025. Plaintiff has been assigned the debt, and Plaintiff is now owed money from

Defendant. MIDLAND CREDIT MANAGEMENT, INC. is the current owner of the debt, and any prior holders of the debt are listed in the attached Affidavit Relating to Damages and Business Record and are incorporated by reference.

Relevant information related to the account is as follows:

ORIGINAL CREDITOR:	CREDIT ONE BANK, N.A.
ACCOUNT NO.:	XXXXXXXXXXXX-9899
DATE OF CHARGE-OFF:	December 15, 2024
CHARGE-OFF BALANCE:	\$2,106.83
DATE OF ORIGINATION:	September 01, 2017

Account Stated

Plaintiff is the owner and beneficiary of all claims related to the account opened by Defendant with Plaintiff's predecessor-in-interest. Thus, Plaintiff is entitled to relief under the common law cause of action account stated because (i) transactions between the parties or their predecessors-in-interest gave rise to indebtedness of the Defendant to the Plaintiff (ii) there existed an agreement, express or implied, between the parties establishing a fixed amount due, and (iii) the Defendant made a promise, express or implied, to pay the indebtedness, but has failed to do so.

Demand for payment has been made by Plaintiff on Count I, and as of January 04, 2026, Defendant has refused and failed to remit the remaining principal amount of \$2,185.94. No interest (0%) is accruing on the account.

Demand for payment has been made by Plaintiff on Count II, and as of January 04, 2026, Defendant has refused and failed to remit the remaining principal amount of \$2,106.83. No interest (0%) is accruing on the account.

Damages

Plaintiff seeks liquidated damages on:

Count I in the amount of \$2,185.94
Count II in the amount of \$2,106.83

Conditions Precedent

All conditions precedent have been performed, have occurred, or should be excused.

Prayer

For these reasons, Plaintiff asks that Defendant be cited to appear and answer, and that Plaintiff have judgment against Defendant for the following:

- a. Actual damages in the amount of \$4,292.77;

- b. All costs of suit; and
- c. All other relief, in law and equity, to which Plaintiff may be entitled.

Respectfully submitted
MIDLAND CREDIT MANAGEMENT, INC.

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PLEASE UNDERSTAND THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

You can view documents related to your account by visiting our website at www.midlandcredit.com and logging into your account.