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FIRST NATIONAL BANK OF OMAHA

PLAINTIFF,

V.

Jason S Mogyorody

*DEFENDANT***IN THE COUNTY COURT****AT LAW NO.****HARRIS COUNTY, TEXAS****Plaintiff's Original Petition****PARTIES**

Plaintiff, FIRST NATIONAL BANK OF OMAHA, brings this debt claim case against Defendant, Jason S Mogyorody.

1. Plaintiff is an entity organized and existing under the laws of the United States of America and authorized to bring this action in the State of Texas.

2. Defendant, Jason S Mogyorody, resides at 910 La Nell Dr, Deer Park TX 77536-4925, which is also where service of process can be made upon the Defendant.

3. Discovery will be conducted under Level 1 of Rule 190 of the Texas Rules of Civil Procedure.

JURISDICTION

4. Plaintiff seeks only monetary relief of \$250,000 or less, excluding interest, statutory or punitive damages and penalties, and attorney fees and costs.

5. Plaintiff asserts that the above-named court has jurisdiction over the subject matter of this case and the person of Defendant and that damages sought are within the jurisdictional limits of the Court.

VENUE

6. Venue is proper in Harris County, Texas under section 15.002(a)(2) of the Texas Civil Practice and Remedies Code because it is the county of residence for one or more of the Defendant at the time the cause of action accrued.

FACTS

7. Defendant applied for and received a credit account, which is owned and administered by the Plaintiff (“the Account”). Defendant used or authorized the use of the Account for the purchase of goods, services, balance transfers or cash advances in accordance with the customer agreement (“Agreement”). By using the Account, the Defendant is obligated to repay the Plaintiff per the Agreement for all amounts and charges advanced.

8. The Defendant ceased making payments on the Account, thereby creating a default.

9. On 8/27/2024, the Plaintiff sent a letter to Defendant demanding payment in full of the Account.

10. The Defendant owes \$34,819.24 on the Account as of the petition date and is not seeking interest. The credit card name of the Account is, the account number is XXXXXXXXXXXXX3950. The Account was opened on 11/17/2005 and was charged off on 07/31/2024.

COUNT 1 – Suit on Debt/Account Stated

11. Paragraphs 1 through 10 are incorporated by reference.

12. Plaintiff is the owner and beneficiary of all claims related to the Account. Plaintiff sent monthly periodic statements on the Account to the Defendant. Based on the Plaintiff’s records, there are no unresolved billing disputes related to the Account. The amount owing on the Account is \$34,819.24, which is after all lawful offsets, payments and credits have been applied.

13. Plaintiff is entitled to recover on the Account because the transactions between the Plaintiff and the Defendant produced the indebtedness. And, there was an agreement

between the Plaintiff and Defendant establishing the amount due. Lastly, the Defendant promised to pay the Plaintiff on the debt incurred but failed to do so.

14. Plaintiff has presented its claim to Defendant for payment, but Defendant has refused to pay the amount owed.

COUNT II – Breach of Contract

15. Paragraphs 1 through 10 are incorporated by reference.

16. Plaintiff is the owner and beneficiary of all rights under the Account opened by the Defendant. Defendant has breached the agreement between the parties by failing to pay all amounts due on the Account as required under the terms of the agreement.

17. A total of \$34,819.24 remains owing on the Account.

18. Plaintiff has presented its claim to Defendant for payment, but Defendant has refused to pay the amount owed.

CONDITIONS PRECEDENT

19. All conditions precedent to Plaintiff's right of recovery have been fulfilled.

PRAYER

Plaintiff requests that the Defendant be cited to appear and answer herein, that this Court set this matter for hearing. Upon final hearing, the Plaintiff seeks a judgment against the Defendant for damages totaling \$34,819.24, costs of court, as well as all other relief to which they are entitled.

Dated January 10, 2025.

Submitted by,

Suttell & Hammer, P.C.

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Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
ABC Legal		ServeonlyTX@abclegal.com	1/14/2025 9:55:12 PM	NOT SENT