

Case No. 1243127

**Crown Asset Management, LLC assignee of Cross
River Bank (Upstart Network Inc.)
Plaintiff**

**In the County Court at Law No. 1
of**

**v.
EVIANA REYES**

Defendant(s)

HARRIS County Texas

1/21/2025 12:00 AM
Teneshia Hudspeth
County Clerk
Harris County

PLAINTIFF'S ORIGINAL PETITION

A. Discovery Control Plan

1. Plaintiff intends to conduct discovery under Level 1 pursuant to Tex. R. Civ. P. § 190.1 and affirmatively pleads that it seeks monetary relief of \$250,000 or less.

B. Parties

2. The address for Plaintiff, Crown Asset Management, LLC assignee of Cross River Bank (Upstart Network Inc.), is 3100 BRECKINRIDGE BLVD, STE 725, DULUTH, GA 30096.
3. Defendant, EVIANA REYES may be served with process at **1606 Byron Ave, Deer Park TX 77536-3524**, or at such other place as the Defendant may be found.

C. Jurisdiction

4. Plaintiff seeks only monetary relief of \$250,000 or less excluding, interest, statutory or punitive damages and penalties, and attorneys fees and costs.
5. Plaintiff asserts that the above-named court has jurisdiction over the subject matter of this case and the person(s) of Defendant(s) and that the damages sought are within the jurisdictional limits of the court.

D. Venue

6. Venue of this action is proper in the county named above because Defendant(s) is/are individual(s) believed to be residing in said county at the time of commencement of suit.

E. Facts

7. On or about November 19, 2021, Defendant opened account number ending in ****0541("the Account") and agreed to pay for certain goods and/or services provided by Cross River Bank (Upstart Network Inc.). Cross River Bank (Upstart Network Inc.) provided the agreed upon goods and/or services, however, Defendant has failed and refused to pay the balance for such goods and/or services. Plaintiff's records show Defendant's(s') last payment on the account occurred on or about April 13, 2022. Defendant(s) defaulted on the obligation to make payments on the Account was subsequently closed due to nonpayment. The entire balance on the Account is presently due and payable in full. On or about June 20, 2023 Defendant's(s') Account was assigned to Plaintiff, and Plaintiff is the current holder of Defendant's(s') account and the proper party to bring this lawsuit.
8. After allowing for all just and lawful offsets, credits, and payments on the account, the total balance due to Plaintiff by Defendant(s) on the Account is \$4,829.51.

9. The Plaintiff has made demand upon the Defendant(s) for payment of the amount due and payable in full. The Defendant(s) have failed, neglected, and refused to pay the amount requested.
10. Plaintiff has performed all conditions precedent to the filing of this action or all such conditions precedent have been performed or have occurred.

F. COUNT 1: Breach of Contract

11. On or about November 19, 2021, Defendant opened account number ending in ****0541("the Account") and agreed to pay for certain goods and/or services provided by Cross River Bank (Upstart Network Inc.). Cross River Bank (Upstart Network Inc.) provided the agreed upon goods and/or services, however, Defendant has failed and refused to pay the balance for such goods and/or services. Plaintiff's records show Defendant's(s') last payment on the account occurred on or about April 13, 2022. Defendant(s) defaulted on the obligation to make payments on the Account was subsequently closed due to nonpayment. The entire balance on the Account is presently due and payable in full. On or about June 20, 2023 Defendant's(s') Account was assigned to Plaintiff, and Plaintiff is the current holder of Defendant's(s') account and the proper party to bring this lawsuit.
12. Defendant(s)' breach was a proximate cause of actual damages of \$4,829.51. All just and lawful offsets, credits, and payments have been applied to the account.

G. Damages

13. Plaintiff seeks damages on its liquidated claim in the amount of at least \$4,829.51, which is within the jurisdictional limits of this court.

H. Conditions Precedent

14. All conditions precedent to Plaintiff's claim for relief have been performed or have occurred.

I. Miscellany

15. The undersigned attorneys hereby give notice that they and Plaintiff are attempting to collect a debt and any information obtained will be used for that purpose. Plaintiff's attorneys are debt collectors.

J. Prayer

16. For these reasons, Plaintiff asks that the court issue citation for Defendant to appear and answer, and that Plaintiff be awarded a judgment against Defendant for the following:

- a. Actual damages in the amount of \$4,829.51.
- b. Court costs.
- c. All other relief to which plaintiff is entitled.

Respectfully submitted;
RAUSCH STURM LLP
ATTORNEYS IN THE PRACTICE OF DEBT COLLECTION

By:

ATTORNEY CONTACT INFO:

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4944427

To the Defendant Pursuant to Rule 21, Texas Rules of Civil Procedure: Every pleading, plea, motion, or application to the court for an order, whether in the form of a motion, plea, or other form of request, unless presented during a hearing or trial, must be filed with the clerk of the court in writing, must state the grounds therefor, must set forth the relief or order sought, and at the same time a true copy must be served on all other parties, and must be noted on the docket.

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rsieh courts on behalf of Paula Pitter
Bar No. 24119408
rsiehcourts@abclegal.com
Envelope ID: 96387029
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Filing Description:
Status as of 1/21/2025 3:28 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
RSIEH Texas		lawfirmtx@rauschsturm.com	1/18/2025 4:25:53 PM	NOT SENT
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