

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff

versus

WINFORD P. AKER,

Defendant

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§

CIVIL ACTION H-06-3788
(Claim: 111922)

Motion For Default Judgment

To the Honorable Lynn N. Hughes:

Because Winford P. Aker ("Aker") has not filed an answer within 20 days of being served, and Aker is not in military service, USA moves for a default judgment.

Respectfully Submitted,

By: /s/ M. H. Cersonsky
M. H. Cersonsky, TBA #04048500
Jim L. García, TBA #07636700
5065 Westheimer, Suite 600
Houston, Texas 77056
Tel. No.: (713) 840-1492
Fax No.: (713) 840-0038
Attorneys for United States of America

Certificate of Service

I certify that a copy of the foregoing motion was sent on April 16, 2007, to:

Winford P. Aker
3750 Tanglewilde Street #3
Houston, Texas 77063

/s/ M. H. Cersonsky
M. H. Cersonsky

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff

versus

WINFORD P. AKER,

Defendant

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CIVIL ACTION H-06-3788
(Claim: 111922)

Affidavit Of Amount Due

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, M. H. CERSONSKY, being first duly sworn, state the following:

- (1) I am the attorney for the United States of America ("USA") in this case;
- (2) Aker was served with the Summons on February 27, 2007;
- (3) More than 20 days have passed and no answer has been filed.
- (4) The amount owed is:

Principal Balance:	\$ 1,222.43
Total Interest Accrued (As of February 19, 1999)	\$ 492.04
Attorney's Fees	<u>\$ 550.00</u>
Administrative fees, costs and penalties (Including \$350.00 filing fee)	\$ 350.00
	<u>\$ 2,614.47</u>
Less Credits (Debtor Payments)	<u>\$ 0.00</u>
Total Owed	\$ 2,614.47

Interest Rate: 8.00%
Daily Accrual: \$0.27

Plus costs private process server fees for service of Summons. \$ 77.00
Plus Judgment Recording fee. \$ 18.00

TOTAL: \$ 2,709.47

By: /s/ M. H. Cersonsky
M. H. Cersonsky, TBA #04048500
5065 Westheimer, Suite 600
Houston, Texas 77056
Tel. No.: (713) 840-1492
Fax No.: (713) 840-0038
Attorneys for United States of America

SUBSCRIBED AND SWORN TO before me on April 16, 2007, to which witness by hand and seal of office.

Notary Public, State of Texas

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff

versus

WINFORD P. AKER,

Defendant

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CIVIL ACTION H-06-3788
(Claim: 111922)

Nonmilitary Affidavit

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority on this day personally appeared the undersigned affiant, who being by me duly sworn, on oath stated:

"I am attorney of record for USA in the above-entitled and numbered cause. Winford P. Aker was not in military service when this suit was filed."

By: /s/ M. H. Cersonsky
M. H. Cersonsky, TBA #04048500
5065 Westheimer, Suite 600
Houston, Texas 77056
Tel. No.: (713) 840-1492
Fax No.: (713) 840-0038
Attorneys for United States of America

SUBSCRIBED AND SWORN TO before me on April 16, 2007, to which witness by hand and seal of office.

Notary Public, State of Texas

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff	§	
	§	CIVIL ACTION H-06-3788
<i>versus</i>	§	(Claim: 111922)
	§	
WINFORD P. AKER,	§	
	§	
Defendant	§	

Default Judgment

Because Winford P. Aker failed to answer after being served, the United States of America recovers:

Principal Balance:	\$ 1,222.43
Total Interest Accrued (As of February 19, 1999)	\$ 492.04
Attorney's Fees	\$ 550.00
Administrative fees, costs and penalties (Including \$350.00 filing fee)	\$ 350.00
	<u>\$ 2,614.47</u>
Less Credits (Debtor Payments)	<u>\$ 0.00</u>
Total Owed	\$ 2,614.47
Interest Rate:	8.00%
Daily Accrual:	\$0.27

Post-judgment interest at _____% per annum.

Plus costs private process server fees for service of Summons.	\$ 77.00
Plus Judgment Recording fee.	\$ 18.00

TOTAL: \$ 2,709.47

Signed _____, 2007, at Houston, Texas.

Lynn N. Hughes
United States District Judge