

	DC-24-03556	
NASA FEDERAL CREDIT UNION	*	In the District Court
	*	
v.	*	191st Judicial District
	*	
RODRICK LEVINGSTON	*	Dallas County, Texas

RESPONSE TO MOTION TO STRIKE DEMAND FOR JURY

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant Levingston objects to Plaintiff's motion to strike the case from the jury docket.

I.

Rodrick Levingston never signed a jury waiver to NAASA Federal Credit Union in this account. No purported jury waiver was agreed, either orally or in writing. Instead of a signature, there is a typed name of Rodrick Levingston. Mr. Levingston did not type his name on any application. The typed name is not a signature. The purported non-handwritten signing was not in compliance with the Uniform Electronic Signature Act or in compliance with any other legal basis.

II.

A trial court cannot withdraw a case from the jury docket over the objection of any party, even if that party did not make a demand or pay the fee. Tex. R. Civ. P. 220; *see In re J.N.F.*, 116 S.W.3d 426, 434 (Tex. App.—Houston [14th Dist.] 2003, no pet.).

III.

Because Defendant objects to removing this case from the jury docket, this case must be tried to a jury.

PRAYER

For these reasons, Defendant asks the court to deny Plaintiff's Motion to Strike the Jury Demand and withdraw the case from the jury docket.

Respectfully submitted,

EDDLEMAN & CLARK

Attorneys for Defendant

4627 North Central Expressway

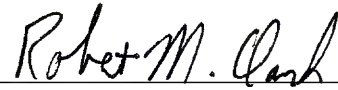
Knox Central Place, Suite 2000

Dallas, Texas 75205-4022

Phone 214.528.2400

Fax 214.528.2434

Firm@EddlemanClark.com

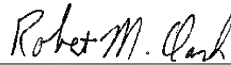


ROBERT M. CLARK

State Bar No. 04298200

Certificate of Service

I certify that a true copy of the above was e-served on counsel for Plaintiff, Matthew B. Fronda at Padfield & Stout, 420 Throckmorton Street, S. 1210, Ft.. Worth, TX 76102, mfronda@padfieldstout.com in accordance with Rule 21a of the *Texas Rules of Civil Procedure* on the 24th day of March, 2025.



Robert M. Clark

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Robert Clark on behalf of Robert Clark

Bar No. 4298200

Firm@EddlemanClark.com

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Status as of 3/25/2025 11:55 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Matthew Fronda		mfronda@padfieldstout.com	3/24/2025 4:41:07 PM	SENT

Associated Case Party: NASA Federal Credit Union

Name	BarNumber	Email	TimestampSubmitted	Status
Jessica Alt		jalt@padfieldstout.com	3/24/2025 4:41:07 PM	SENT
Meagan Stafford		mstafford@padfieldstout.com	3/24/2025 4:41:07 PM	SENT