

DEBT COLLECTION AGREEMENT

[THIS IS AN OFFER TO CONTRACT FOR SERVICES TO COLLECT A CONSTITUTIONALLY IMPOSE DEBT AGAINST THE STATE OF TEXAS. THE INTENT IS TO JUSTLY COMPENSATE JOHNNY PARTAIN PER TEX. CONST. ART.1, SEC. 17]

- 1) The Debt - The State of Texas (Texas) is constitutionally indebted to Johnny Partain, 7020 N 16th Street, McAllen, Texas 78504, for \$278,208,574.46, as of October 6, 2021, accruing at a compounded rate of 10% per annum (Debt).¹ The Debt has accrued unopposed by Governor Greg Abbott, Attorney General Ken Paxton, and Texas Supreme Court Chief Justice Nathan Hecht, but the state has failed to remit payment on its debt as require by law. *See attached Letters and Application*. The Texas judiciary surrendered its jurisdiction to opine on the Debt, closing its courts despite the restraints of Tex. Const. Art. 1 Sec. 13, and Sec. 17, and refusing to enforce or observe prior related judgments, mandates, orders, and stare decisis vindicating Johnny Partain, to protect public corruption in South Texas all the way up to the Texas Supreme Court.²³ However, judicial opinion is specifically not required to conform to the Fifth Amendment of the United States Constitution, and Article 1, Section 17, of the Texas Constitution, since these laws were created to be self-executing. The Debt is overdue and may be collected.

"The Constitution itself is the authorization for compensation for the destruction of property and is a waiver of governmental immunity for the taking, damaging or destruction of property for public use." *Steele v. City of Houston*, 603 S.W.2d 786, 791 (Tex. 1980). The Texas Constitution contains waivers of immunity that are effective irrespective of any statutory waivers. *Tarrant County Reg'l Water Dist. v. Gragg*, 151 S.W.3d 546, 554 (Tex.2004) ("*When the government takes private property without first paying for it, the owner may recover damages for inverse condemnation.*"). Such constitutional

¹ The Debt does not currently reflect inflation and devaluation of the currency owed, but that difference in value may be collected. The Debt is a culmination of acts by the City of McAllen, Hidalgo County, Cameron County, and State of Texas to seized and destroy property (inverse condemnation), protected by the State of Texas on claims of immunity to the constitutions. Under RICO each party is liable for the full amount. *See Hidalgo County District Court case no. C-0929-12-F, Third Amended Petition*.

² Governor of Texas, Greg Abbott, acting as Texas Attorney General compared public corruption in South Texas to "third-world country practices" near the Fort Bliss Army base to the media in February of 2014.

³ *Texas Constitution, Article 2, Sec. 1* - "The powers of the State of Texas are divided into three distinct departments, Legislative, Executive, and Judicial; and no person, or collection of persons, being of one of these departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted." When the Judiciary waives its duty to opine, the Executive may not provide an opinion. When the Executive fails its duty to pay the state's debts, the Legislature may not pay them instead. The Texas Comptroller's Office has the final responsibility to pay the state's constitutionally imposed debt and has 'no discretion or authority to misinterpret the law'. (*In re Allen*, 366 S.W.3d 696, 700 (Tex. 2012).

waivers are self-executing if they provide “a sufficient rule by means of which the right given may be enjoyed and protected, or the duty imposed may be enforced. Texas Constitution Art. 1, Sec. 17 (the Takings Clause), is self-executing says the Texas Supreme Court. *City of Beaumont v. Boullion*, 896 S.W.2d 143, 148-49 (Tex. 1995). “The Constitution limits government power; it does not limit Texans' rights to obtain appropriate relief when that power is exceeded.” *Harris Cnty. Flood Control Dist. v. Kerr*, 499 S.W.3d 793 (Tex. 2016); *Devillier v. Texas*, Civil Action 3:20-CV-00223 (S.D. Tex. July 30, 2021). Any official opposition to paying the Debt would be unconstitutional and unlawful.

Accordingly, Johnny Partain is immune to prosecution under the constitution and may collect the Debt through any recourse he may devise. The act of collecting or taking is protected under the United States and Texas constitutions and it doesn't have to be civil or even timely once civil recourse is waived by the courts; and the constitutions are ignored by the state.

- 2) Terms – The Collector, a party herein, represents Johnny Partain, also a party herein, and shall be compensated for their services in collecting the Debt. The cost of collection services are traditionally 50% of the debt collected, or currently \$139,104,287.23, to be paid to the Collector under this agreement, which is included in “just compensation” for having to collect pursuant to Tex. Const., Art. 1, Sec. 17. Collector's compensation may increase depending on the circumstances, time, and value of the Debt at the time of collections, but will never be more than 50% of the Debt actually collected: The full amount to be currently collected as of October 6, 2022, is \$278,208,574.46 plus 50% or \$417,312,861.69, or its equivalent value in other interests acceptable to Johnny Partain and Collector.

The Collector is not restricted to any licensed or commercial companies, and may include any person, group of persons, or government entities, foreign and domestic where not disallowed by law, capable of collecting the debt. The Collector is not restrained by statute, and is only responsive to the Texas Constitution.⁴ The Collector must express their acceptance of the terms of this *Debt Collection Agreement* to Johnny Partain to collect the Debt and to avoid over-collecting, misrepresentation, and confusion. This agreement may not be restricted, limited, or exclusive to any one Collector. Once the Debt has been collected, Collector must stop its efforts to collect.

⁴ Johnny Partain recommends any party interested in earning collections compensation seek legal advice from a competent attorney familiar with Texas takings claims and inverse condemnation.

- 3) Receipt of Compensation - Johnny Partain authorizes Collector to timely deduct their 50% compensation and to immediately remit remaining payment to Johnny Partain in the form or process on which they agree.

If the Collector negotiates a payment plan agreeable to Johnny Partain, Collector shall be entitled to obtain, be paid, and withhold its earned compensations from all such payments.

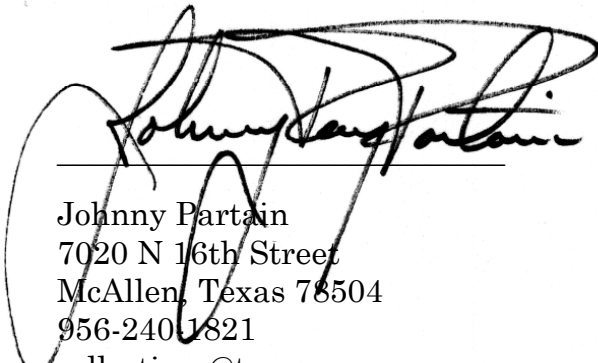
- 4) Dispute Resolution - All legal disputes between Johnny Partain and Collector shall be resolved through binding arbitration with the American Arbitration Association ("AAA"), in Dallas, Texas. Johnny Partain and Collector each shall be responsible for half of all of AAA's fees and costs (including the fees charged by the arbitrator). Johnny Partain and Collector consent to personal jurisdiction in Texas. The arbitrator shall not award to either Johnny Partain or Collector (and both Johnny Partain and Collector hereby waive their right to receive) consequential damages, exemplary damages, statutory treble damages and attorneys' fees. Johnny Partain and Collector specifically waive their right to receive an award of attorneys' fees under Tex. Civ. Prac. & Rem. Code § 38.001, et seq.

- 5) Non-Disparagement - Neither party to this agreement shall publish or communicate on any written or electronic forum or social media any disparaging comment, negative review, recommendation, evaluation, or report of the other unless required by law. Because a violation of this provision would result in damages that may be difficult to prove, the parties agree that a party violating this provision shall be liable for damages in the amount of \$10,000.00 as and for liquidated damages and not as a penalty, and no actual damages need to be proved.

- 6) Entire Agreement – These terms constitute the complete agreement between Johnny Partain and Collector. All previous inducements, negotiations, representations, statements and promises relating to the subject matter hereof are merged into this agreement and are of no effect. Any modification to these terms and conditions must be in writing, and unless clearly stated otherwise, any modification shall only apply when referenced in the written modification; otherwise, these terms shall govern.

- 7) Headings - Paragraph headings are for convenience only and shall not affect the meaning or interpretation of this agreement.

Accepted by,



Johnny Partain
7020 N 16th Street
McAllen, Texas 78504
956-240-1821
collections@txcongress.com

LETTERS
AND
APPLICATION



Johnny Partain
7020 N 16th Street
McAllen, Texas 78504
partain@atlastechnologies.biz

Governor Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

Attorney General Ken Paxton
Office of the Attorney General
PO Box 12548
Austin, TX 78711-2548

August 11, 2022

NOTICE OF DEBT COLLECTION

The State of Texas has to this date evaded paying to me and my family its constitutional debt under Texas Constitution, Article 1, Section 17. I have tried to resolve this through the Texas Supreme Court which now claims immunity from petition, constitution, and the laws of our state. I have tried to resolve this debt with both the Governor's and Attorney General's office which refuse to enforce the laws of this state or pay its debts, but have argued that the debt needs to be paid.

The creation of the State of Texas begins in Texas Constitution, Article 1, and includes our Bill of Rights which are excepted from the powers of government and inviolate, in verbatim, per our Texas Constitution. Specific rights under the constitution are self-executing according to the Texas Supreme Court and can be enforced without any other actions required.

WHEREAS, Johnny Partain residing at 7020 N 16th Street, McAllen, Texas 78504 has made several claims regarding the taking, use, and destruction of his property by the government amounting to \$250 million, sum certain, pursuant to Texas Constitution, Article 1, Section 17;

WHEREAS, Johnny Partain has attempted to compel the State of Texas and its political subdivisions to conform to the Texas Constitution to pay its debts, ad nauseam, and he has no other legal recourse;

WHEREAS, The State of Texas has refused Johnny Partain any due process or a jury trial as mandated by order of a higher court and the law.

WHEREAS, The State of Texas has no immunity to its obligations under the Texas Constitution and a constitutional debt exists;

WHEREAS, the State of Texas, Hidalgo County, and City of McAllen have engaged in serial patterns of harassment, intimidation, oppression, and corruption, protected by the State of Texas all the way up to its Governor, Attorney General, and Chief Justice of the Texas Supreme Court;

WHEREAS, Johnny Partain is entitled to full payment and to the costs of collections, including the costs of defending his restitution as necessary;

WHEREAS, debt collections routinely cost 50% of the debt owed and is traditionally added to debts collected;

WHEREAS, the Department of Public Safety alone has an agency wide biennial budget of \$2.3 billion in state and federal funds;

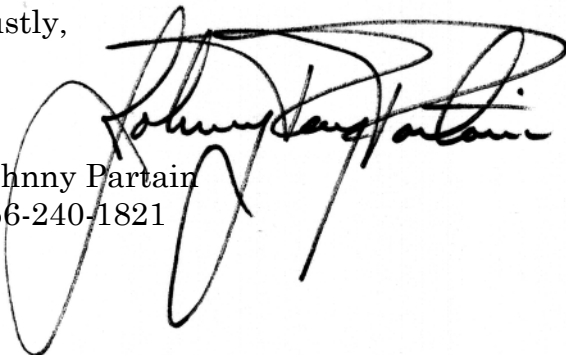
ACCORDINGLY, Johnny Partain is now forced to engage all forms of debt collections against the State of Texas, and its culpable political subdivisions, of assets to retribute, preserve, and defend his rights under the United States Constitution and Texas Constitution;

ACCORDINGLY, restitution will be adjusted to reflect the original value of Johnny Partain's injuries, and any additional injuries;

ACCORDINGLY, costs will be adjusted to compensate for enforcement and defense of the collection of debt for restitution.

The State of Texas may pay its debt to Johnny Partain within 20 days of this letter without incurring additional costs, but note that no action is necessary from your office. If you protest and wish to justify your position, protest immediately and be very specific regarding the terms of your protest: Remember that the Texas judiciary has already waived and exhausted its jurisdiction to review this debt, punting any reasonable and civil resolution to your offices, if possible. Prior letters to the Governor's Office are attached to this notice.

Justly,

A large, stylized handwritten signature in black ink, appearing to read 'Johnny Partain', is written over the typed name and phone number.

Johnny Partain
956-240-1821



Johnny Partain
7020 N 16th Street
McAllen, Texas 78504
partain@atlastechnologies.biz

Governor Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

Attorney General Ken Paxton
Office of the Attorney General
PO Box 12548
Austin, TX 78711-2548

December 21, 2021

Re: Johnny Partain – Property Compensation Pursuant To Texas Constitution, Art. 1, Sec. 17 and US Constitution, Amendment 5.

Governor Greg Abbott and Attorney General Ken Paxton;

The State of Texas owes me \$250 million for condemnation and destruction of my property through its efforts to protect official incompetence and public corruption¹ in South Texas. I sent you a certified letter on August 6, 2020, requesting payment since I had been locked out of the courts for over 4 years and couldn't even get a response to a simple motion. I never got a response from your office and your office failed to return my calls for a meeting or a calendar. In fact, I have never been interviewed even after making criminal and judicial complaints against public officials for two decades. Taking notes from your December 18, 2021, press conference² regarding the State's right to take 'Unprecedented' action on the border wall "when the Biden Administration has failed to do its job as required by

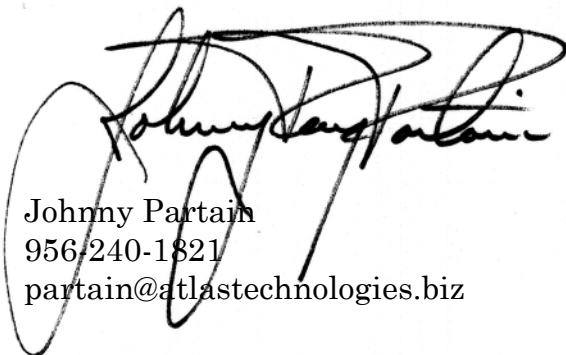
¹ The United State Supreme Court relevantly explains in *Nashville, C. & St. L. R. Co. v. Browning*, 310 U.S. 362, 369, "It would be a narrow conception of jurisprudence to confine the notion of "laws" to what is found written on the statute books, and to disregard the gloss which life has written upon it. Settled state practice cannot supplant constitutional guarantees, but it can establish what is state law...Deeply embedded traditional ways of carrying out state policy, such as those of which petitioner complains, are often tougher and truer law than the dead words of the written text." See also *Poe v. Ullman*, 367 U.S. 497 (1961). I.E. Corruption is the law of South Texas all the way up to the Texas Supreme Court.

² <https://www.youtube.com/watch?v=7rQHlft5jFw&t=153>

the constitution ... to enforce the law", I am also taking this unprecedented action to protect my property rights under the Texas Constitution Art. 1 Sec. 17 to collect monies owed to me for property seized and destroyed. Your office and the Texas Supreme Court have facilitated "third-world country" banana republic practices which you campaigned against in 2014. You have both allowed public corruption to flourish and to cause me great injury. If you ignore me, I will be forced to take the \$250 million, plus whatever costs to collect it, to make myself whole - to embarrass everyone involved and to destroy the status quo so I might finally live peacefully in Texas. Recall that it didn't take much to shut down the whole judicial network for two months when I last contacted you.

The amount is no longer at issue since the judiciary has waived its right to review, claiming it is immune to being sued in it's own courts. Being attorneys you also realize that this hasn't been a credible defense in the courts since the 1960's and the Texas Constitution (Art.1, Sec. 17) requires payment, even if the Texas Supreme Court determines that public incompetence, corruption, and the status quo must be protected at all costs when it embarrasses the courts or impugns the state.³ Fortunately, Texas Constitutional rights are allegedly self-executing and don't require judicial review. I presume you and the State will treat me as deplorable wherefrom the law doesn't apply as usual, and maybe unresponsive since I am only a citizen of Texas. I've already endured two decades of poor treatment and political prosecution. Please don't be inconsiderate.

Respectfully,



Johnny Partain
956-240-1821
partain@atlastechnologies.biz

³ [T]he Constitution itself is . . . a waiver of governmental immunity for the taking, damaging or destruction of property." *Steele v. City of Houston*, 603 S.W.2d 786, 791 (Tex. 1980).



Johnny Partain
7020 N 16th Street
McAllen, Texas 78504
partain@atlastechnologies.biz

Governor Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

August 3, 2020

Re: Johnny Partain – Request For Property Compensation Pursuant To Texas Constitution, Art. 1, Sec. 17 and US Constitution, Amendment 5.

Governor Greg Abbott;

I am currently in the Texas Supreme Court, In Re Johnny Partain, case no. 20-0362, regarding an inverse condemnation complaint against public officials and the State of Texas with additional complaints of public officials engaging in and protecting institutionalized incompetence and public corruption – the status quo. I'm certain that you, Governor Abbott, know of what I speak since you raised the issue of public corruption in South Texas by comparing it to “third-world country practices” in your campaign near the Fort Bliss Army base in February of 2014 as you campaigned for governor. Unfortunately, the corruption hasn't changed since your inauguration and the Texas judiciary has, in a most obvious and spectacular way, placed itself in the embarrassing situation of engaging in and then protecting this well documented public corruption in South Texas with sovereign immunity. *See Hidalgo District Court case no. C-0929-12-F*. Case no. C-0929-12-F is a case I petitioned in 2012 to protect my property and my final judgment in Hidalgo County case no. CL-29,530-A from retaliatory seizure and destruction. The litigation didn't work, the rule of law did not prevail, because too many large extrajudicial interests connected to the Hidalgo County courthouse with stake in sustaining local government corruption and protecting the county interfered with the judicial process placing the judiciary into its instant embarrassment. *See In Re Johnny Partain, case no. 20-0362, Petition For Writs of Mandamus*.

You can relax. I am not mixing current judicial process with my request to you for reimbursement of my seized and destroyed property, as required under Texas Constitution, Art. 1, Sec. 17 and US Constitution, Amendment 5. Due process as

explained by the United State Supreme Court¹ is not necessarily judicial: It only requires some kind of meaningful and timely process. You will find that while case no. C-0929-12-F was reinstated by a 14th Appeals Court judge assigned by Texas Supreme Court Justice Nathan L. Hecht in 2015 after it was illegally dismissed only “on the authority” of a district judge, that same district judge has since then refused to answer any of my motions or to take me to trial as mandated by the 14th Appeals Court justice. Many judges I’ve encountered over the past 22 years routinely demonstrate contempt for their own judiciary and the rule of law. I am denied justice under any common judicial practice and there is nothing you could add or subtract from the process. Even the Texas Supreme Court appears to abuse its own discretion² by refusing to enforce the appeal court’s mandate or the constitution when it obviously has the authority to do so, apparently to protect the appearance of propriety in the system. The courts, not the issue, were closed to me exactly four years ago without any adjudication except to bless nearly all parties with immunity for invading, seizing, and destroying my property.

Regardless of what little scant processes are available that can be used to enforce a person’s civil rights under the constitution, the required lawful reimbursement for my property losses by the state always leads to your office to negotiate an order for repayment from the Secretary of State. I think that after 22 years of litigating the same issues over and over without resolution or enforcement in the judiciary only to be finally excluded from all court processes, that its reasonable for any man or the public to conclude the Texas Judiciary is an impotency relying on its court concocted immunity to escape public accountability while at the same time collecting paychecks and consuming public resources. The judiciary is failed and is probably irrelevant anyways to those who know its workings. Bringing me to a bigger point.

The courts go further to bless nearly all other public offices with immunity from accountability - and the status quo embraces it. I’m not certain how the Executive or Legislative branches will respond to my efforts in this upcoming 87th Legislature to pierce this immunity to accountability, but it appears the political environment is ripe to raise the issue. There is a poignant point to be made by recent protests and

¹ Mathews v. Eldridge, 424 U.S. 319 (1976) - This Court consistently has held that some form of hearing is required before an individual is finally deprived of a property interest. Wolff v. McDonnell, 418 U. S. 539, 418 U. S. 557-558 (1974). See, e.g., Phillips v. Commissioner, 283 U. S. 589, 283 U. S. 596-597 (1931). See also Dent v. West Virginia, 129 U. S. 114, 129 U. S. 124-125 (1889). The "right to be heard before being condemned to suffer grievous loss of any kind, even though it may not involve the stigma and hardships of a criminal conviction, is a principle basic to our society." Joint Anti-Fascist Comm. v. McGrath, 341 U. S. 123, 341 U. S. 168 (1951) (Frankfurter, J., concurring). The fundamental requirement of due process is the opportunity to be heard "at a meaningful time and in a meaningful manner." Armstrong v. Manzo, 380 U. S. 545, 380 U. S. 552 (1965). See Grannis v. Ordean, 234 U. S. 385, 234 U. S. 394 (1914). Nelson v. Colorado, 137 S. Ct. 1249, 197 L. Ed. 2d 611 (2017) To comport with due process, a State may not impose anything more than minimal procedures on the refund of exactions.

² A judge abuses his discretion if he acts in an arbitrary or unreasonable manner or if he acts without reference to any guiding rules or principles. Downer v. Aquamarine Operators, Inc., 701 S.W.2d 238, 241-42 (Tex. 1985).

riots that injustice is rooted in institutionalized bias and corruption, that there is a serious problem with our government, and that there is no rule of law. Public corruption, immunities, and injustice are the root of anger³, inciting Black Lives Matter, Antifa, and even the Democratic Party to protest and to riot. Its not even a new issue being that the piercing of government immunity was an issue that was voted through the Sixty-first Legislature in 1969 under House Bill 117 (vetoed by the governor). That was over 50 years ago when protests and race riots were just about as they are now. 50 years ago and so little progress has been made regarding the accountability of our government to corruption and injustice.

Article 1 of the Texas Constitution is our bill of rights which describes a compact defining the relationship of our Texas republic and our citizens. It includes the rights to be secured in our persons, houses, papers and possessions and to enjoy life, liberty, property, privileges, and certain immunities. Our Bill of Rights is declared in the constitution to be inviolate and excepted to modification to “guard against transgressions of the high powers herein delegated ... [wherein] all laws contrary thereto ... shall be void.” But the fact is that our bill of rights is already violated, that my rights have been serially violated, and that our civil rights are mostly unactionable, unenforceable, and not self-executing, pursuant to public corruption protected by the courts implementation of its own “common law” which modify the effect of our constitutional compact - to protect the State of Texas from its own citizens. These immunities displace the “rule of law” and cultivate injustices by undermining official accountability and by protecting public corruption and malfeasance under the veil of state propriety.

You see, I am in the middle of a political crisis because I cannot prosecute or punish state corruption. I cannot force the Judiciary to perform or to dispense justice, especially when it will discredit itself. I can only request reimbursement for my significant losses as required by the Texas Constitution which will always end up in your office under current Texas law for consideration of payment. Your consideration is certainly political - even if the judiciary had timely performed its job, had my due process been respected.

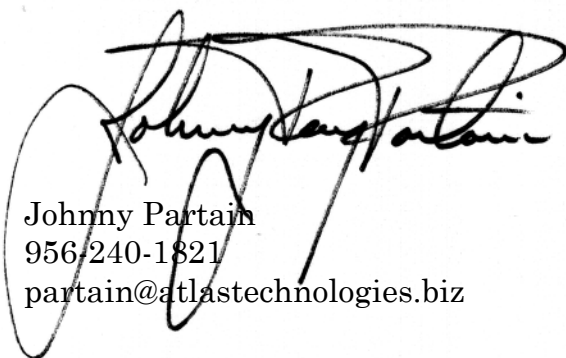
My property losses include, my hard won civil judgment (\$2,720,126) in Hidalgo County Court No. 1 case no. CL-29,530-A which was finally destroyed through dismissal for want of prosecution (16 years after the judgment became final and 3 executions had been attempted); my real property (\$116,000) which was invaded and first seized after an assault by a SWAT team as directed by the Hidalgo County District Attorney to interfere with my US Congressional campaign against public corruption; about eight years of rents (\$96,000) after the seizure of my house; my transportation business and assets (\$19 million) which were never return per court order (the court’s refused to enforce their decrees and instead threatened me with contempt and incarceration for insisting that the courts enforce their decrees); my established and prospective business interests in one of my electrical service companies (\$55 million) which was partially destroyed after a failed attempt to “felonize” me following a threat by a Justice of the Peace that the

³ Racial injustice is a subset of the bigger problem.

District Attorney looking for a way to prosecute me (my company[ies] requires security clearance); and treble damages for the aforementioned losses that I am denied because the courts are closed to me.⁴ I can currently prove to a jury or the public that my property losses are approximately \$236,796,378 and rising, and I've won a plethora of court opinions and orders supporting my claims - a stinging and constitutional rebuke against established south Texas corruption that you have already identified, and that has now landed in your office. Its an opportunity for you to address corruption in South Texas and right some wrongs. Should the corruption continue to be protected at the highest office in Texas? Should I be denied my constitutional rights to my property or its value? What will you do?

I am requesting a timely scheduled meeting with you to negotiate reasonable compensation for my property losses so that I might finally resume my life, liberty, property, privileges, and immunities with my family as promised under our Texas Constitution. I would also like to bend your ear regarding accountability in our Texas government by considering new legislation in the 87th Legislature to modify common law government immunities imposed by the courts which are intrinsically unjust. Thank you in advance for your time and efforts.

Respectfully,



Johnny Partain
956-240-1821
partain@atlastechnologies.biz



⁴ "All courts shall be open, and every person for injury done him, in his lands, goods, person or reputation, shall have remedy by due course of law." Tex. Const. art. I, §13

7020 N 16th Street
McAllen, Texas 78504

District Attorney Ricardo Rodriguez, Jr.
100 E. Cano, 2nd Fl.
Edinburg, TX 78539
rickrod92nd@gmail.com

August 18, 2022

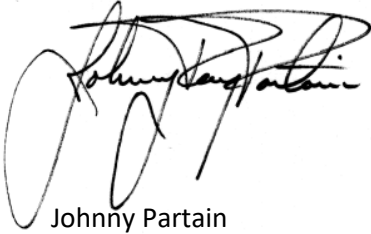
Re: Debt Collection, Johnny Partain

Hon. Ricardo Rodriguez;

Attached is communication to the Texas Governor's office regarding a large debt owed to Johnny Partain per Texas Constitution Art. 1, Sec. 17, by the State of Texas pursuant to actions taken by the State of Texas, Hidalgo County, Cameron County, and City of McAllen. As indicated in the letters, I made a valid legal complaint regarding the seizing, taking, and destruction of my property, along with RICO complaints and civil rights violations, to a Hidalgo County District Judge who eventually blessed all defendants with immunity to the complaint; although all other citizens of the State of Texas are able to petition for the same relief according to the Texas Supreme Court which has consistently opined that Texas Constitution Art. 1, Sec. 17, is a constitutional right waiving government immunity and relief should be available through petition. The Texas Supreme Court has also consistently opined that constitutional rights are self-executing and that exercising a civil right is protected by the constitution. My complaint, my petition, was never addressed and can now never be addressed after the district court waived its jurisdiction over the issue, in spite of mandates from a higher court to take me to trial and to pay my legal costs. The court's actions, whether wrongful, misguided, or corrupt, tie the hands of the State of Texas from litigating the debt, but it does not eliminate the debt since it is a constitutional debt. Accordingly, I have given the attached notice to Governor Abbott and Attorney General Ken Paxton that I am organizing the means to take what the State of Texas, and other defendants, failed to pay as obligated under the law, plus the cost of collections. The amount is no longer an issue since the courts and the governor failed to respond.

If you protest, protest immediately and be very specific regarding the terms of your protest. Actions to collect the debt have already started and are imminent. It may be helpful to request an opinion from the Attorney General regarding debts due under Texas Constitution Art. 1, Sec. 17, when the courts refuse a mandated jury trial on the basis of immunity.

Justly,

A handwritten signature in black ink, appearing to read "Johnny Partain", written over a large, stylized, handwritten letter "P".

Johnny Partain

956-240-1821

7020 N 16th Street
McAllen, Texas 78504

District Attorney José Garza
P.O. BOX 1748
Austin, TX 78767
jose.garza@traviscountytx.gov

August 18, 2022

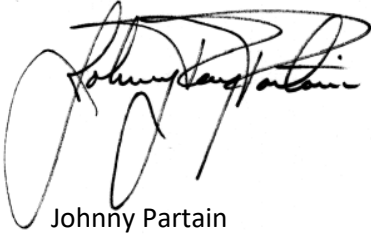
Re: Debt Collection, Johnny Partain

Hon. José Garza;

Attached is communication to the Texas Governor's office regarding a large debt owed to Johnny Partain per Texas Constitution Art. 1, Sec. 17, by the State of Texas pursuant to actions taken by the State of Texas, Hidalgo County, Cameron County, and City of McAllen. As indicated in the letters, I made a valid legal complaint regarding the seizing, taking, and destruction of my property, along with RICO complaints and civil rights violations, to a Hidalgo County District Judge who eventually blessed all defendants with immunity to the complaint; although all other citizens of the State of Texas are able to petition for the same relief according to the Texas Supreme Court which has consistently opined that Texas Constitution Art. 1, Sec. 17, is a constitutional right waiving government immunity and relief should be available through petition. The Texas Supreme Court has also consistently opined that constitutional rights are self-executing and that exercising a civil right is protected by the constitution. My complaint, my petition, was never addressed and can now never be addressed after the district court waived its jurisdiction over the issue, in spite of mandates from a higher court to take me to trial and to pay my legal costs. The court's actions, whether wrongful, misguided, or corrupt, tie the hands of the State of Texas from litigating the debt, but it does not eliminate the debt since it is a constitutional debt. Accordingly, I have given the attached notice to Governor Abbott and Attorney General Ken Paxton that I am organizing the means to take what the State of Texas, and other defendants, failed to pay as obligated under the law, plus the cost of collections. The amount is no longer an issue since the courts and the governor failed to respond.

If you protest, protest immediately and be very specific regarding the terms of your protest. Actions to collect the debt have already started and are imminent. It may be helpful to request an opinion from the Attorney General regarding debts due under Texas Constitution Art. 1, Sec. 17, when the courts refuse a mandated jury trial on the basis of immunity.

Justly,

A handwritten signature in black ink, appearing to read "Johnny Partain", written over a large, stylized, loopy initial or mark.

Johnny Partain

956-240-1821

7020 N 16th Street
McAllen, Texas 78504

District Attorney Luis V. Saenz
964 E Harrison St.
Brownsville, TX 78520
luis.saenz@co.cameron.tx.us

August 18, 2022

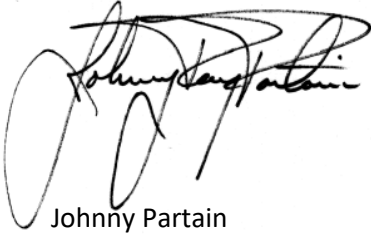
Re: Debt Collection, Johnny Partain

Hon. Luis Saenz;

Attached is communication to the Texas Governor's office regarding a large debt owed to Johnny Partain per Texas Constitution Art. 1, Sec. 17, by the State of Texas pursuant to actions taken by the State of Texas, Hidalgo County, Cameron County, and City of McAllen. As indicated in the letters, I made a valid legal complaint regarding the seizing, taking, and destruction of my property, along with RICO complaints and civil rights violations, to a Hidalgo County District Judge who eventually blessed all defendants with immunity to the complaint; although all other citizens of the State of Texas are able to petition for the same relief according to the Texas Supreme Court which has consistently opined that Texas Constitution Art. 1, Sec. 17, is a constitutional right waiving government immunity and relief should be available through petition. The Texas Supreme Court has also consistently opined that constitutional rights are self-executing and that exercising a civil right is protected by the constitution. My complaint, my petition, was never addressed and can now never be addressed after the district court waived its jurisdiction over the issue, in spite of mandates from a higher court to take me to trial and to pay my legal costs. The court's actions, whether wrongful, misguided, or corrupt, tie the hands of the State of Texas from litigating the debt, but it does not eliminate the debt since it is a constitutional debt. Accordingly, I have given the attached notice to Governor Abbott and Attorney General Ken Paxton that I am organizing the means to take what the State of Texas, and other defendants, failed to pay as obligated under the law, plus the cost of collections. The amount is no longer an issue since the courts and the governor failed to respond.

If you protest, protest immediately and be very specific regarding the terms of your protest. Actions to collect the debt have already started and are imminent. It may be helpful to request an opinion from the Attorney General regarding debts due under Texas Constitution Art. 1, Sec. 17, when the courts refuse a mandated jury trial on the basis of immunity.

Justly,

A handwritten signature in black ink, appearing to read "Johnny Partain", with a large, stylized initial "J" on the left.

Johnny Partain

956-240-1821

Miscellaneous Claim Application

Use this form to file a claim against the state of Texas for the following reasons:

- Warrant that is void due to expiration date.
- Unpaid bill that cannot be paid by receiving state agency due to expiration of appropriation.
- Other claim justified by state contract or state law.

Instructions on second page

Type of Claim <i>(Please check one)</i>		
<input type="checkbox"/> Void Warrant	<input type="checkbox"/> Unpaid Bill	<input checked="" type="checkbox"/> Other Claim under Tex. Const. Art. 1, Sec. 17


Please type or print

Claimant's name <i>(Legal name of individual or business)</i>	
Johnny Ray Partain	
Mailing address <i>(P.O. Box, street, city, state and ZIP + 4 code)</i>	
7020 N 16th Street	
Claimant's Social Security number (SSN)* or Texas taxpayer number or Federal Employer Identification Number (FEIN)	

Claimant's telephone <i>(Area code and number)</i>	Amount of claim
956-240-1821	\$250,000,000.00
Specific reason for claim <i>(For void warrant(s), list specific identification of goods, services, refund or other items for which the warrant(s) were originally issued.)</i>	
<p>This is my sum certain claim for just compensation specifically required by Texas Constitution, Art 1., Sec. 17, for my property taken, damage, or destroyed by state actors, and particularly state judges, protected under claims of immunity to suit by the Texas judiciary: I have not been sued. The Texas Judiciary waived its right to review my claim on excuse of immunity to suit in Texas courts. Attached is the Third Amended Petition describing the original complaint. Governor Abbott and Attorney General Paxton refuse to meet to negotiate. My request for \$250 million compensation through warrant is unopposed. My constitutional claim is due pursuant to Art. 1, Sec. 17, and is superior to any impeding process or statute, being constitutionally derived.</p>	
Supporting documentation <i>(Please list)</i>	
1. Third Amended Petition	3. _____
2. Letters to Governor and Attorney Gen.	4. _____

* **Federal Privacy Act Statement:** Disclosure of your Social Security number is required and authorized under law for the purpose of tax administration and identification of any individual affected by applicable law, 42 U.S.C. § 405(c)(2)(C)(i) and Tex. Gov't Code §§ 403.011, 403.015, 403.055, 403.056 and 403.078. The Public Information Act, Tex. Gov't Code Ch. 522, and applicable federal law shall govern release of information on this form in response to a public information request.

Certification

I certify that the information I have furnished on this form is true and correct. I certify that the amount of this claim is still outstanding and is due and payable.	
Type or print name	Title
Johnny Ray Partain	Citizen of Texas
 Claimant's signature	Date
	8/26/2022
Complete application and mail to: Comptroller of Public Accounts Fiscal Management Division P.O. Box 13528 Austin, TX 78711-3528 ATTN: Miscellaneous Claims Analyst Or FAX to: 512-463-2138	For questions, call 1-800-531-5441, ext. 5-0966. The local number in Austin is 512-475-0966.

Under Ch. 559, Texas Government Code, you are entitled to review, request and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at the address or phone number listed on this form.

Eligibility:

Claims that are over eight years old, as determined from the day after payment was due on the original claim, are generally not eligible for payment by the Comptroller's office through the provisions of the Miscellaneous Claims Act. For void warrants, the expiration date is eight years from the date the warrant was originally issued. For unpaid bills, the expiration date is eight years from the day after payment was due on the original invoice of delivery of goods or services. If lacking an invoice, eight years from the day after the last day of the contract billing period.

Instructions for Completing the Miscellaneous Claim Application

Type of Claim

Check the box indicating the type of claim you are filing.

Claimant Name

Enter the name of the person or business in whose behalf this claim is being submitted.

Mailing Address

Enter the mailing address where correspondence concerning this claim should be sent.

Please include your ZIP + 4 code.

Claimant's SSN, Texas taxpayer number or FEIN

If claimant is an individual, enter the Social Security number. If claimant is a business, enter the Texas taxpayer number or Federal Employer Identification Number.

Amount of Claim

If the claim is for a void warrant, enter the amount of warrant. If the claim is for an unpaid bill, enter the amount due. If the claim is for any other type of liability, enter amount due.

Specific Reason for Filing Claim

Fully describe the reason for filing the claim. It must include the following information:

- Void Warrant: Description of the goods, services, refund or other item for which the original warrant was issued. Attach original warrant or warrant information. **File should contain specific identification of goods, services, refund or other items for which the warrant was originally issued.**
- Unpaid Bill: Description of goods or services or other item which is unpaid. You must also attach an invoice or other acceptable documentation of the unpaid amount which lists the original date the goods or services were delivered or performed.
- Other: Fully describe the reason for the claim. Include all appropriate documentation.

Supporting Documentation

Application **MUST** contain supporting documentation (such as void warrants, itemized bills, invoices, contracts, etc.) that will fully substantiate the claim. If not included, a statement must be provided explaining why these items are not available.

Certification

The claimant or authorized agent (representative of business) signature is required.

Submit the completed and signed application to the mailing address or FAX number indicated.