

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. "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)

