

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

LOU TYLER,

Plaintiff,

v.

**PHH MORTGAGE SERVICE,
DEUTSCHE BANK AND TRUST, and
OCWEN LOAN SERVICES, et al.,**

Defendants.

§
§
§
§
§
§
§
§
§
§

**CIVIL ACTION NO.
3:24-cv-01597-X**

**RESPONSE IN OPPOSITION TO PLAINTIFF’S MOTION FOR
EXTENSION OF TIME TO FILE IN FORMA PAUPERIS FORMS**

Defendant, PHH Mortgage Corporation d/b/a PHH Mortgage Services, successor by merger to Ocwen Loan Servicing, LLC, responds in opposition to Plaintiff’s Motion for Extension of Time to File In Forma Pauperis Forms and Waive \$605 and File Anything in the Future for My Case, and Brief in Support (the “Motion”) (Docs. 16-17).

1. By Order and Judgment, both of which were entered July 17, 2024, the Court dismissed this lawsuit with prejudice, accepting the recommendation of the Magistrate Judge that this lawsuit should be dismissed with prejudice *sua sponte*. See Docs. 8, 10, 11.

2. Then, by Order entered July 31, 2024, the Court, in short, prospectively denied Plaintiff leave to appeal *in forma pauperis* and certified that “any appeal [Plaintiff] may take would not be in good faith, a finding that [Plaintiff] may challenge . . . by filing a separate motion to proceed IFP on appeal” with the Fifth Circuit. Doc. 14.

3. Accordingly, Plaintiff’s Motion to this Court is misguided and should be denied.

WHEREFORE, Defendant requests that Plaintiff's Motion be denied, and for such other and further relief to which Defendant may be entitled.

Respectfully submitted,

/s/ Vincent J. Hess

Robert T. Mowrey
Texas Bar No. 14607500
rmowrey@lockelord.com

Vincent J. Hess
Texas Bar No. 09549417
vhess@lockelord.com

Matthew K. Hansen
Texas Bar No. 24065368
mkhansen@lockelord.com

LOCKE LORD LLP
2200 Ross Avenue, Suite 2800
Dallas, Texas 75201
Telephone: (214) 740-8000
Telecopier: (214) 740-8800

COUNSEL FOR DEFENDANT PHH

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on this the 5th day of September, 2024, on pro se plaintiff via ECF in accordance with the Federal Rules of Civil Procedure.

Lou Tyler
1112 Reitz Drive
Cedar Hill, Texas 75104
integrity282@gmail.com
Pro Se Plaintiff

/s/ Vincent J. Hess

Counsel for Defendant PHH