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Carin Carroll
District Clerk
Titus County, Texas
Debbie Swindler

CAUSE NO. 44437

KYLE DOUGLAS MORING, *Petitioner,*	§	IN THE DISTRICT COURT
v.	§	TITUS COUNTY, TEXAS
CITY OF MOUNT PLEASANT, TEXAS, *Respondent.*	§	76th JUDICIAL DISTRICT

PETITIONER'S RESPONSE TO RESPONDENT'S PLEA TO THE JURISDICTION AND FOCUSED JURISDICTIONAL EVIDENCE

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner Kyle Douglas Moring, appearing pro se, files this Response to Respondent City of Mount Pleasant's Plea to the Jurisdiction. The plea should be denied because the operative petition expressly pleads the refusal required by Texas Government Code § 552.321(a), Respondent's evidence does not conclusively negate those allegations count by count, and the focused evidence identifies existing responsive records and record families alleged to remain unsupplied after the August 28, 2026 productions. Alternatively, if the Court finds any pleading detail deficient but curable, Petitioner requests leave to amend rather than dismissal.

I. SUMMARY AND REQUESTED DISPOSITION

Respondent's threshold premise is facially incorrect. The plea says Petitioner "does not allege any refusal by the City to provide records." Plea at 2. But First Amended Petition paragraph 38 states, for every count, that Respondent failed or refused to produce all responsive non-exempt public information, timely request an Attorney General decision, give a legally sufficient no-records response, or provide a date and hour for delayed production. Paragraphs 5 and 21 invoke § 552.321(a), and paragraph 92 expressly alleges that the City "refused to supply identifiable existing public information." The pleading therefore alleges the statutory waiver in direct terms.

The plea also fails as a factual challenge. Its exhibits concern only the five subjects that the parties focused on for conferral—proposed Exhibits C, E, F, G, and I—while the First Amended Petition pleads thirteen count-specific requests. The plea supplies no custodian affidavit, verified search declaration, repository accounting, or document-specific privilege proof. Even if Respondent's counsel letters are considered as evidence, they do not conclusively negate refusal. They instead acknowledge that additional review and production continued through August 27 and that a further USB production would be delivered on August 28.

Petitioner does not ask the Court to treat every later-produced record as presently withheld, to decide every search-method dispute through this plea, or to adjudicate collateral complaint processes. The attached declaration and schedule distinguish: **(1)** identified records or families that remain live production disputes; **(2)** later-produced controls used only to show existence, possession, scope, or a fact issue; and **(3)** counts preserved on the pleadings but not advanced as Petitioner's strongest factual examples at this stage.

The appropriate ruling is to deny the case-wide plea. At minimum, the Court should deny the plea as to counts for which the pleadings and focused evidence raise a genuine jurisdictional fact issue, permit amendment of any curable jurisdictional allegation, and address mootness only item by item. Denial of the plea would not decide ultimate admissibility, privilege, the merits of any production claim, or the final form of relief.

II. GOVERNING STANDARD

Section 552.321(a) authorizes a requestor to seek mandamus when a governmental body refuses to request an Attorney General decision as provided by Subchapter G or refuses to supply public information. Tex. Gov't Code § 552.321(a). Those are independent statutory routes. *Kallinen v. City of Houston*, 462 S.W.3d 25, 27–30 (Tex. 2015) (per curiam). Partial production or pursuit of an Attorney General ruling does not categorically foreclose the refusal-to-supply route. *Id.*

A plea may challenge the pleadings, jurisdictional facts, or both. On a facial challenge, the Court construes the pleadings liberally in the pleader's favor and looks to the pleader's intent. *Tex. Dep't of Parks & Wildlife v. Miranda*, 133 S.W.3d 217, 226 (Tex. 2004). If a defect is potentially curable, the pleader must be afforded an opportunity to amend; dismissal without that opportunity is proper only when the pleadings affirmatively negate jurisdiction. *Id.* at 226–27; *Tex. A&M Univ. Sys. v. Koseoglu*, 233 S.W.3d 835, 839 (Tex. 2007).

When a plea challenges facts intertwined with the merits, the procedure resembles traditional summary judgment. The Court credits evidence favorable to the nonmovant, indulges reasonable inferences in his favor, and may not resolve a genuine issue of material jurisdictional fact through the plea. *Miranda*, 133 S.W.3d at 227–28; *Town of Shady Shores v. Swanson*, 590 S.W.3d 544, 550–52 (Tex. 2019). Petitioner bears the ultimate burden to establish the statutory waiver, but Respondent cannot obtain dismissal by relying on a general conclusion that repeated responses equal no refusal while leaving count-specific allegations and contrary evidence unresolved.

Recent persuasive authority applies these principles in the PIA context. In *Corey Morrell v. Texas Commission on Environmental Quality*, the agency argued that its review, segregation of assertedly privileged material, partial production,

and pursuit of an Attorney General ruling showed willingness rather than refusal. The court rejected that limited construction, reversed dismissal of the § 552.321 claim, and remanded. No. 15-25-00212-CV, slip op. at 10–15 (Tex. App.—15th Dist. Apr. 14, 2026, mem. op.). *Morrell* is persuasive rather than controlling here, but its reading of *Kallinen* is directly responsive to the plea's central premise. See also *Uvalde Consol. Indep. Sch. Dist. v. Texas Tribune*, 720 S.W.3d 466, 474–79 (Tex. App.—San Antonio 2025, no pet.).

Mootness is record- and claim-specific. If a later production fully supplies a particular item, Petitioner does not seek an order compelling a duplicate. That later production does not moot a distinct identified record, attachment, source-system component, or count that remains unsupplied. Nor does it retroactively prove that every count was complete when closed.

III. THE OPERATIVE PETITION EXPRESSLY PLEADS REFUSAL

First Amended Petition paragraph 38 provides:

> Each count below pleads: (1) a written request for existing public information; (2) Respondent's possession, custody, control, or temporary-custodian access to records responsive to the request; (3) Respondent's failure or refusal to produce all responsive non-exempt public information, request a timely Attorney General decision, provide a legally sufficient no-records notice, or provide a date and hour for delayed production; and (4) the specific mandamus relief requested.

That allegation must be read with the thirteen incorporated count narratives and their attached written requests. Count XI is especially explicit: paragraph 92 alleges that the City "refused to supply identifiable existing public information responsive to the request as clarified," cited no exception, sought no ruling, and gave no sufficient no-records notice for omitted lines. The plea's assertion that no refusal was pleaded cannot be reconciled with the operative text.

The petition also forecloses Respondent's prospective-relief argument. Paragraph 17 expressly disclaims a standalone § 552.3215 claim, cost-overcharge claim, review of prosecutorial or Attorney General enforcement discretion, and an Open Meetings Act claim. The pleaded relief is limited to completed written requests and existing public information. *AIM Media Texas, LLC v. City of Odessa*, 663 S.W.3d 324 (Tex. App.—Eastland 2023, pet. denied), therefore does not justify dismissal of the claims actually pleaded.

IV. RESPONDENT'S OWN EXHIBITS DO NOT ESTABLISH CASE-WIDE COMPLETION

The plea attaches counsel correspondence, not sworn search proof. The letters do not identify a qualified custodian; do not verify which repositories, archives,

mailboxes, temporary custodians, or platforms were searched for each pleaded count; and do not correlate any claimed exception with identified withheld documents. By contrast, cases granting relief on a governmental body's search evidence involved detailed, competent proof of the searches performed and the records produced. See *City of El Paso v. Abbott*, 444 S.W.3d 315, 324–27 (Tex. App.—Austin 2014, pet. denied); *Tex. Tech Univ. v. Dolcefino Communications, LLC*, 565 S.W.3d 442, 447–50 (Tex. App.—Amarillo 2018, no pet.). Those decisions do not create a rule that an unverified conclusion of completeness defeats contrary count-specific allegations and evidence.

Because Respondent's plea challenges jurisdictional facts, the evidentiary standard generally mirrors Rule 166a(c). *Miranda*, 133 S.W.3d at 227–28. *Uvalde* held that a formal Attorney General open-records ruling was not competent summary-judgment evidence and, even if it were, could not substitute for record-specific proof identifying the documents withheld. *Uvalde Consol. Indep. Sch. Dist. v. Texas Tribune*, No. 04-24-00509-CV, slip op. at 20 (Tex. App.—San Antonio July 16, 2025, no pet.). If a formal Attorney General open-records decision is not competent summary-judgment evidence, unsworn correspondence from Respondent's own counsel cannot be stronger proof. Respondent offers no custodian declaration, authenticated search records, in camera submission, or record-specific privilege log. Those letters may establish that particular representations were made, but they do not, standing alone, conclusively prove the underlying searches, complete production across thirteen counts, or the applicability of any document-specific exception.

Respondent's Exhibits A and C also contain admissions inconsistent with categorical completion. On August 25, Respondent reported 344 potentially responsive emails for Count VII and stated that privilege review remained underway and an additional review could produce more records. Respondent's Exhibit A at 5–6. On August 27, Respondent stated that the review had just been completed and that records were being supplied "alongside this letter." Respondent's Exhibit C at 3. For Count IX, the same letter promised a USB to be delivered the next day. *Id.* at 4. Those events may narrow particular disputes after reconciliation, but they do not prove that no refusal occurred or that every pleaded record was supplied.

The plea is also materially underinclusive. Its fact discussion centers on only five conferral subjects. It does not offer competent evidence conclusively negating the allegations in Counts I, II, IV, VIII, X, XI, XII, or XIII. The Court should not dismiss thirteen counts based on counsel letters addressing five selected exhibits.

Count	Specific live record or family	Why a fact issue remains
V	November 26, 2025, 9:13 a.m. City-authored email to Petitioner, exact Message-ID <CYYPR16MB553494FAD0890AB9F01FA38FB7DEA@CYYPR16MB5534.namprd16.prod.outlook.com>	The retained native EML is from Webster's City account, is addressed to Petitioner, and begins, 'Austin, Will you please respond to him?' Although neighboring messages from the same request family appeared in the February 2 Moring production and August 28 DTRG folder, this exact Message-ID was not located. The headers do not show Beck as a recipient of this particular message. Appendix PR-J.
V, VI & IX	Dec. 22, 2025, 9:15:08 a.m. SFMO email to mpfd@mpcity.org concerning Walmart Store 131	The state-agency sent-item control contains Walmart, Moring, OSHA, and whistleblower identifiers. Loose binder copies appeared later, but no exact City-side message wrapper was located in the reviewed City productions. Appendix PR-C.
VI & IX	August 20, 2025 DSHS-to-Ankrum native message, Inspection No. 308620, with NIO; and September 17 DSHS reply to Ramirez, Webster, and Ankrum	The native August message supplies an exact Message-ID, City recipient, subject, and attachment names. The September reply identifies the same Walmart inspection family. Neither exact record was located in the reviewed City productions. Appendix PR-I.
VI	Exact City-to-Titus CAD parent families dated March 11 and September 2, 2025, including the September 2 CAR25958 correction and permit-history attachments	The native recipient-side controls identify exact City authors, dates, Message-IDs, and Walmart terms in the messages or attachments. Previously supplied monthly reports and underlying permit pages are not demanded again; the exact parents and the later September 2 correction/history family remain disputed. Appendix PR-K.

Count	Specific live record or family	Why a fact issue remains
VII	Attorney fee bills, invoices, billing statements, and public-fund payment records expressly requested Feb. 14, 2026	Respondent's Exhibit A acknowledges this request category. A City-produced November 13 Finance message states that there were '40-60 invoices in this time range for each vendor.' That broader statement does not prove every invoice is responsive to Count VII's narrower Kyle/Walmart limitation, but it corroborates a maintained invoice set. No actual responsive fee bill, invoice, billing statement, voucher, check stub, ACH confirmation, or payment record was located in the 326-message August 28 DTRG folder. Appendix PR-J.
VIII	Source email identified by the City's MPFD form as "E-Mail on 01/09/2026 15:02"	The City's own inspection summary identifies the source type and exact timestamp. The source email itself remains specifically disputed. Appendix PR-D.
IX	Aug. 10, 2025 outgoing City-to-TCEQ parent message, "Pilgrim's Mount Pleasant Stench, Friday 8-8-25"	The City-produced automatic reply preserves the parent Message-ID and transmission relationship; the identified outgoing parent was not located in the reviewed production. Appendix PR-E.
IX	TCEQ Investigation No. 2082615 / Incident No. 443283 and June 25, 2025 TCEQ letter to Mayor Tracy Craig	The TCEQ control identifies the City as respondent and contains a letter addressed directly to the Mayor. It predates the February 9 search. No exact or complete equivalent was located in the six reviewed City regulatory-agency production sets. Appendix PR-G.

Count	Specific live record or family	Why a fact issue remains
IX	Five City-completed 2025 Water Use Reports: WSC-269; ADJ-4560; and three ADJ-4565 use reports	Each identifies City of Mount Pleasant / CN600130926; the four readable forms bear Paul Reyes's January 21, 2026 signature and all five bear TCEQ January 29 receipt controls. They predate the February 9 search and were not located as exact or complete equivalents in the reviewed City sets. Appendix PR-H.
XII	City-side complaint/intake records generated by the July 25 and July 26, 2025 MyHealthDepartment submissions concerning Walmart Store 131	Petitioner personally submitted the two complaints through the City's portal and retained its confirmation screens. Count XII expressly requested complaints from July 18–30, 2025, and FAP ¶96 specifically pleads these two omissions. No City-side complaint/case object, submitted fields, original uploads, routing, assignment, status, disposition, or maintained audit history was located. Appendix PR-F; filed Volume 3 at 66–67 (Exhibit O-5).

These examples are not offered as a substitute for the remaining counts. They demonstrate why Respondent cannot obtain a case-wide jurisdictional dismissal. The PR-1 schedule separately identifies secondary disputes for Counts IV, X, XI, and XIII and states where Petitioner relies primarily on the operative pleading rather than asserting that a current record has been conclusively proven through the focused appendix.

VI. THE FIVE CONFERRAL ITEMS DO NOT SUPPORT DISMISSAL

Exhibit C / Count III. Respondent's August 27 letter says the Buhman call-log screenshots were supplied on dates beginning in October 2025. Respondent's Exhibit C at 1. The exact PNGs attached to that letter and previously supplied in the June 2 OAG-correspondence production contain embedded creation fields reporting May 11, 2026, and the contemporaneous December 17 response said screenshots would not be provided. Appendix PR-B. That discrepancy does not prove deletion or misconduct. It does create a material fact issue about what source record was reviewed in December, what was actually supplied then, and whether the requested call-history/voicemail record remains unsupplied.

Exhibit E / Count V. A later screenshot or rerun does not conclusively establish that every record matching the original terms was produced. Appendix PR-C identifies one exact December 22 SFMO-to-MPFD message whose forwarded material contains the Moring, OSHA, and whistleblower terms and whose City-side wrapper was not located in the reviewed productions. That exact control is enough to create a fact issue without requiring the Court to decide the adequacy of every Purview setting at the plea stage.

Additional exact Count V control. Appendix PR-J identifies Webster's November 26, 2025 City-authored message by exact native Message-ID. It is within Count V's date range and contains Petitioner's name and address in the quoted request family. The February 2 production supplied neighboring messages from that family, including the request, the November 13 Finance reply, and the November 25 follow-up, but the exact November 26 message was not located there or in the August 28 DTRG folder. The EML headers show that this particular message was sent to Petitioner, not to Beck; its body nevertheless states, 'Austin, Will you please respond to him?' The exact recipient copy creates a bounded Count V fact issue without relying on the former 91/88 aggregate.

Limits of Respondent's Ex. E-2 screenshot. Respondent's Exhibit C at 14 (embedded Ex. E-2) displays the internal breadcrumb "Open Records Request > Moring, Kyle > Search for Kyle Moring …," fifteen custodian-named folders, and "System Volume Information." The visible direct-child counts reconcile with the February 2 production tree once the Candias/Kyle and Rob/sent subfolders are accounted for; Petitioner therefore does not offer the screenshot as proof of removals or alteration. But every visible folder is labeled "Modified August 7" and "Modified By Candias Webster," while the screenshot does not show the year, the event that caused the modification label, version history, the identity of any "Shared" recipient, or Petitioner's access. Petitioner has not been given access to that internal "Moring, Kyle" location. The screenshot corroborates the folder structure; it does not by itself reconcile the 6,316 items reported in Ex. E-3 to the 362 messages delivered or establish historical completeness.

Exhibit F / Count VI. The original request contained two independent branches: domain-participant email and, separately, records matching Walmart terms. Respondent confirms that the displayed search used an AND condition. Respondent's Exhibit C at 3. That confirmation does not, standing alone, prove that no other search was run. But it does not conclusively prove that both independent branches were separately implemented either. The exact SFMO message in Appendix PR-C matches the Walmart-term branch on its face and remains a concrete production target.

Additional exact Count VI controls. Appendix PR-K identifies exact City-to-Titus CAD parent families dated March 11 and September 2, 2025. The March 11 native parent transmitted monthly permit reports, including a December report containing Walmart and NCB34830. The September 2 City replies quote Wal-Mart/Walmart and attach a corrected monthly report and a Building Permit Manager Record History for CAR25958. The selected parent Message-IDs were not located in the City productions reviewed. The monthly reports and underlying NCB34830 and CAR25958 permit pages supplied elsewhere are not demanded again; the live objects are the exact parent messages and the later September 2 correction/history family. These City/CAD-only messages also illustrate the record class an AND join between participants and Walmart terms could exclude, without asserting that no other search was run.

Exhibit G / Count VII. Respondent's own exhibits show that review was ongoing on August 25 and completed only on August 27. The later USB must be reconciled by requested category, not treated as self-proving completeness. The February 14 request expressly sought attorney fee and public-fund payment records relating to Kyle Moring and Walmart. A separate, City-produced November 13 Finance message states that there were '40-60 invoices in this time range for each vendor' for a broader 2025 Bryan/DTRG request. Appendix PR-J. Petitioner does not claim that every one of those invoices satisfies Count VII's narrower subject limitation. The message does corroborate that invoice records were maintained, while no actual Count VII-responsive fee bill or payment record was located in the reviewed August 28 DTRG folder. Petitioner seeks the responsive nonprivileged portions or a record-specific lawful withholding position—not privileged legal advice.

Exhibit I / Count IX. Delivering a large USB can moot records actually supplied, but volume is not a substitute for matching identified parents, attachments, and families. Appendices PR-C, PR-E, and PR-I identify, respectively, the December 22 SFMO-to-MPFD agency transmittal; the August 10 City-to-TCEQ parent through the City's exact reply-header control; and the August 20 and September 17 DSHS-City Walmart inspection records. Those exact bounded items remain live unless Respondent maps each to a prior production or supplies the maintained responsive record or complete equivalent.

Additional TCEQ controls / Count IX. Appendices PR-G and PR-H identify six additional records: one TCEQ investigation/City-letter package and five City-completed water-use reports. Each predates the February 9 search and facially falls within the request's express report, agency-correspondence, self-disclosure, permit-correspondence, or supporting-material categories. They are identified records, not an abstract challenge to search methodology. Unless Respondent maps them to an earlier production or supplies the maintained responsive records or complete equivalents, they independently create a fact issue as to Count IX.

Additional DSHS controls / Counts VI and IX. Appendix PR-I identifies the August 20 DSHS native message to John Ankrum, its exact Message-ID and NIO attachment, and the September 17 DSHS reply to Juan Ramirez with Webster and Ankrum copied. Both concern Walmart Store 131 and predate the searches at issue. Neither exact record was located in the reviewed City productions. The separately identified July 15 DSHS referral was produced by the City on August 4 and is therefore not claimed as a presently missing record.

VII. LATER PRODUCTION SUPPORTS ITEM-SPECIFIC MOOTNESS, NOT WHOLESALE DISMISSAL

Petitioner acknowledges that the August 27 and August 28 productions changed the factual posture. Records fully supplied need not be produced again. The declaration therefore does not list later-produced duplicates as live objects merely because their earlier omission may corroborate an incomplete search or closure.

The correct analysis is granular. A loose attachment does not necessarily supply its missing parent email; a later-created screenshot does not necessarily supply the earlier source record from which typed entries were taken; and a folder of substantive messages does not necessarily supply a separately requested billing or payment category. Conversely, where the exact requested object has now been supplied, Petitioner limits its use to context or impeachment and does not seek duplicate production.

If Respondent contends a particular live item is moot, the Court can require Respondent to identify the production date, filename, and location for that item and decide mootness item by item. A global “request closed” label does not by itself resolve the existence, responsiveness, prior production, or exception status of the identified record.

VIII. ASSERTED EXCEPTIONS REQUIRE RECORD-SPECIFIC PROOF

Petitioner does not seek privileged substance. But privilege review cannot support dismissal without identifying what responsive information is being withheld and proving the claimed exception through competent, record-specific evidence. The governmental body bears the burden to establish an exception.

Uvalde, 720 S.W.3d at 477–79; *Morrell*, slip op. at 13–15. Section 552.3221 permits in camera submission where needed.

Respondent's plea provides no in camera submission, custodian affidavit, privilege log, or declaration correlating an exception with a particular record. The Court need not decide privilege now. It should simply reject privilege review as a basis for a case-wide jurisdictional dismissal on this record and reserve any document-specific exception for the proper evidentiary process.

IX. THE CONFERRAL DISPUTE IS NOT A JURISDICTIONAL BAR

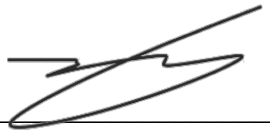
Petitioner has continued to narrow and identify records consistent with his understanding of the Court's oral direction. Respondent disputes whether the August 11 materials were sufficiently concise. That procedural disagreement does not alter the elements pleaded under § 552.321(a) and is not a statutory prerequisite to the Legislature's waiver. The focused PR-1 schedule provides the requested count-to-record map while preserving the remaining pleaded counts.

Paxton v. American Oversight, 716 S.W.3d 535 (Tex. 2025), does not require dismissal. Petitioner seeks the statutory ministerial relief authorized against an ordinary municipal governmental body for completed requests; he does not seek prospective supervision of future requests or mandamus against a constitutional executive officer.

X. PRAYER

Petitioner respectfully requests that the Court deny Respondent's Plea to the Jurisdiction. Alternatively, Petitioner asks the Court to: **(1)** deny the plea as to every count for which the pleadings and evidence raise a genuine issue of jurisdictional fact; **(2)** address any mootness finding only as to the exact item conclusively shown to have been supplied; **(3)** grant fourteen days to amend any jurisdictional allegation the Court finds deficient but curable; and **(4)** reserve ultimate admissibility, exceptions, merits, and production relief for the appropriate evidentiary setting. Petitioner requests all other relief to which he may be entitled.

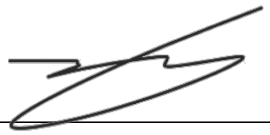
Respectfully submitted,



Kyle Douglas Moring
Petitioner, Pro Se
[redacted]

CERTIFICATE OF SERVICE

I certify that on August 30, 2026, a true and correct copy of this filing was served electronically through the electronic filing manager on all counsel and service contacts of record for Respondent City of Mount Pleasant, Texas, in accordance with Texas Rules of Civil Procedure 21 and 21a.



Kyle Douglas Moring

CAUSE NO. 44437

KYLE DOUGLAS MORING, *Petitioner,*	§	IN THE DISTRICT COURT
v.	§	TITUS COUNTY, TEXAS
CITY OF MOUNT PLEASANT, TEXAS, *Respondent.*	§	76th JUDICIAL DISTRICT

UNSWORN DECLARATION OF KYLE DOUGLAS MORING IN SUPPORT OF RESPONSE TO RESPONDENT'S PLEA TO THE JURISDICTION

My name is Kyle Douglas Moring. I am over eighteen years old, of sound mind, competent to make this declaration, and have personal knowledge of the facts stated below. I state the following based on records I sent or received, production media I retained, and comparisons I performed or directed using filenames, dates, senders, recipients, subjects, Message-ID values where exposed, attachments, and record content.

1. I am the requestor and Petitioner in this case. I sent the written requests pleaded in the First Amended Petition and retained the City's responses, production links, CDs, USB drives, and downloaded production folders in my possession.

2. On August 28, 2026, Respondent delivered a USB containing two principal folders: "Regulatory Agency Correspondence (May 1, 2025–Present)" and "Texas Public Information Act Request - Communications Involving City Attorney Concerning Kyle Moring and Walmart (06012025 - Present)." I preserved the USB contents and reviewed them against earlier City and third-agency productions available to me.

3. I do not state that every record omitted from an earlier production remains withheld today. When an exact record was later supplied, I treat it as later-produced corroboration unless a distinct source record, parent message, attachment, metadata-bearing container, or maintained system component remains unaccounted for.

4. Appendix PR-A contains true and correct excerpts of records previously filed in this cause and records I received from the Texas Department of State Health Services and the City concerning the October 15–17, 2025 "Complaint" email/calendar family. The DSHS production included a five-message chain and a native calendar item. When I opened the DSHS-produced native ICS file in macOS Calendar, it rendered as an October 17, 2025 "Complaint" Microsoft Teams meeting from 10:00 to 11:00 a.m.; the displayed Teams meeting identifiers match those stored in the native file. The City later produced two attendee acceptance messages. I did not locate, in the reviewed City productions, the complete five-message City-mailbox family or the maintained parent invitation/calendar item.

5. Appendix PR-B contains true and correct copies of the previously filed focused Exhibit C and Exhibit AB. I sent the December 4, 2025 request and received the December 17 response. The response supplied two typed call entries and stated that screenshots would not be provided. I later received IMG_0486.PNG and IMG_0487.PNG in the City's June 2, 2026 OAG-correspondence ZIP. I retained the source ZIP. The exact City-produced PNG files contain embedded EXIF and XMP fields reporting May 11, 2026 at 3:33:09 p.m. and 3:33:21 p.m., respectively; no time-zone offset is stored. Those values are internally consistent with the displayed 3:33 phone clock and the files' sequential names. I do not contend that the metadata identifies who created the screenshots, the device used, when the underlying October calls occurred, or whether a different earlier source record existed.

6. Appendix PR-C is a true and correct copy of a three-page PDF I received from the Texas Department of Insurance/State Fire Marshal's Office in its April 17, 2026 public-records production. It preserves Christopher Rusche's December 22, 2025, 9:15:08 a.m. sent-item text to mpfd@mpcity.org and the stated subject concerning Walmart Store 131. I located loose copies of the related binder in the August 28 materials but did not locate the exact December 22 City-side message wrapper in the City productions I reviewed. I do not claim deletion, intentional withholding, or that a specific City employee opened the message.

7. The August 28 DTRG folder contained 326 top-level .msg files. Respondent's Exhibit A acknowledges that the February 14 request included attorney fee bills and public-fund payment records. In my review of the 326 messages and the substantive attachment inventory prepared from that folder, I did not locate an actual DTRG fee bill, invoice, billing statement, voucher, check stub, ACH confirmation, or payment record responsive to that category. Some messages discuss payment-related requests; I do not treat a discussion email as the requested underlying billing or payment record.

8. Appendix PR-D is a true and correct excerpt from the City-produced MPFD inspection summary for Walmart. Its final page identifies a representative signature source as "E-Mail on 01/09/2026 15:02." I did not locate that exact source email in the reviewed production for the pleaded request.

9. Appendix PR-E is an accurate, computer-generated rendering of selected header fields from a City-produced email container obtained from the August 28 regulatory-agency folder. The automatic reply is from TCEQ to Mayor Wesley Lyon and identifies the outgoing parent through its In-Reply-To and Exchange parent-message-id fields. I did not locate the identified outgoing parent message in the reviewed production. I offer the reply to show existence, transmission relationship, and the exact correlation identifier—not the truth of the missing parent's contents.

10. Appendix PR-F contains true and correct copies of the confirmation screens I retained after I personally submitted complaints concerning Walmart Store 131 through the City's MyHealthDepartment Code Enforcement Case portal on July 25 and July 26, 2025. I did not locate in the reviewed City productions the corresponding City-side complaint or case objects, complaint/case identifiers, submitted field values, original uploads, routing or assignment events, status or disposition, or maintained audit history. I do not contend that the platform must maintain every listed component; I identify the two underlying complaint submissions and any such components only to the extent maintained.

11. Appendix PR-G contains a true and correct copy of TCEQ Investigation No. 2082615 / Incident No. 443283, which identifies the City of Mount Pleasant as the respondent, and the included June 25, 2025 TCEQ letter addressed to Mayor Tracy Craig. I received this package from TCEQ. I did not locate the exact package or a complete equivalent in the City regulatory-agency productions dated March 27, April 21, May 21, August 4, August 25, and August 28, 2026. I do not claim deletion, motive, or that every recipient opened the record.

12. Appendix PR-H contains true and correct copies of five TCEQ-produced City of Mount Pleasant 2025 Water Use Reports: WSC-269, ADJ-4560, and three ADJ-4565 use reports. Each identifies the City or CN600130926; the four text-readable reports bear Paul Reyes's January 21, 2026 signature, and all five bear TCEQ January 29 receipt controls. I did not locate any of these exact reports, or complete equivalents identifiable by the permit and TCEQ record controls, in the six City production sets listed in paragraph 11. I do not represent that the later TCEQ export filename was necessarily maintained by the City.

13. Appendix PR-I contains an accurate computer-generated rendering of the native August 20, 2025 DSHS message to jankrum@mpcity.org, subject "TXDSHS Inspection #308620-WAL MART SUPERCENTER 131," Message-ID <SN6PR05MB4127159D6C775BE831FC2D25DE33A@SN6PR05MB4127.namprd05.prod.outlook.com>, together with its attached NIO and a true and correct September 17, 2025 DSHS reply to Juan Ramirez, copying Webster and Ankrum, concerning the same Walmart inspection. I received the native message and reply from DSHS and retained the source files. I did not locate either exact record in the reviewed City productions. The July 15 DSHS referral in the same general subject area was produced by the City on August 4 and is not claimed here as presently missing.

14. Appendix PR-J contains an accurate computer-generated rendering of the native November 26, 2025 EML I received from Candias Webster's City account, Message-ID <CYYPR16MB553494FAD0890AB9F01FA38FB7DEA@CYYPR16MB5534.namprd16.prod.outlook.com>. The EML is addressed to me and begins, 'Austin, Will you please respond to him?' I do not represent that this particular message was sent to or received by Austin Beck; the header does not list him as a recipient. I located neighboring messages from the same request family in the February 2 Moring production and the August 28 DTRG folder, but did not locate this exact Message-ID in either. PR-J also contains a selected rendering of the City-produced November 13 Finance message stating, 'There are 40-60 invoices in this time range for each vendor.' I do not claim that every invoice referenced there falls within Count VII's narrower Kyle/Walmart subject limitation. I rely on that message only to corroborate that the City maintained invoice sets while no actual Count VII-responsive fee bill or payment record was located in the reviewed 326-message folder.

15. Appendix PR-K contains accurate computer-generated renderings and true and correct source pages from native messages and attachments I received from Titus CAD on August 11–12, 2026. The selected City-authored parents are dated March 11 and September 2, 2025. I compared their exact Message-IDs with the City productions retained in my organized archive, including the February 2 Walmart and Moring productions, and did not locate the selected parent Message-IDs as produced items. The monthly permit reports and underlying NCB34830 and CAR25958 permit pages were supplied elsewhere and are not claimed as presently missing. I did not locate the exact September 2 City replies or their later corrected-report and Building Permit Manager Record History attachments in the reviewed City productions. The retained source files remain available for comparison.

16. Respondent's Exhibit C at 14 (embedded Ex. E-2) displays an internal OneDrive breadcrumb reading “Open Records Request > Moring, Kyle > Search for Kyle Moring …,” fifteen custodian-named folders, and “System Volume Information.” I have not been given access to that internal “Moring, Kyle” location. The visible direct-child counts reconcile with the February 2 production tree once the Candias/Kyle and Rob/sent subfolders are counted, and I do not infer removals or alteration from the screenshot. Each visible folder is labeled “Modified August 7” and “Modified By Candias Webster,” but the screenshot does not display the year, the underlying modification event, version history, or the identity of any “Shared” recipient. I rely on the screenshot only for the displayed internal location, organization, labels, and limits of what the screenshot itself establishes.

17. The schedule following this declaration states the present status of each pleaded count to the best of my knowledge after the August 28 production. “Lead” means I have identified a current record or bounded family with direct existence or transmission evidence. “Secondary” means the dispute is more dependent on source retention, scope, or a bounded system family. “Pleading-preserved” means I am not representing that the focused appendix independently proves an exact currently withheld item, but the City has not conclusively negated the operative allegations.

18. The native files, source production containers, and larger filed volumes remain in my possession and can be made available for authentication, comparison, or an offer of proof if the Court directs.

Count	OAG reference	Specific present object or bounded family	Posture
III	OR-25-059503-IC	Oct. 22–29 source call-history/voicemail record from which the acknowledged Mahon and Beasley entries were transcribed.	**Lead**; FAP ¶¶52–56; filed Volume 1, Exhibit C; filed Volume 2, Exhibit K-4; Appendix PR-B. The original response supplied typed call entries instead of the requested source records. The later PNG production does not establish that the screenshots were supplied with the original response, and the underlying call/voicemail source records remain disputed.

Count	OAG reference	Specific present object or bounded family	Posture
IV	OR-26-004942-IC	Maintained HSGov inspection case, assignment/scheduling, complaint, communication, and photograph categories alleged in the petition but not separately accounted for.	**Pleading-preserved**; FAP ¶¶57–61; filed Volume 1, Exhibit D. The City accounted for the three inspection forms but did not separately account for the maintained HSGov case, assignment/scheduling, complaint, communication, and photograph categories. The forms identify Logan Tice's Walmart email address, corroborating an external communication channel. The produced PDFs did not preserve native or source-system metadata and therefore do not independently account for the underlying HSGov record family. No deletion or intentional alteration is alleged from that formatting fact alone.
V	OR-26-006368-IC	Two exact controls: Dec. 22, 2025 SFMO-to-MPFD message containing Moring/OSHA/whistleblower identifiers; and Nov. 26 Webster-to-Petitioner native EML, exact Message-ID, omitted from the neighboring produced family.	**Lead**; FAP ¶¶62–65; filed Volume 1, Exhibit E; Appendices PR-C and PR-J. The two bounded message controls contain identifiers expressly responsive to the request and were not located in the reviewed February 2 Moring-related production.

Count	OAG reference	Specific present object or bounded family	Posture
VI	OR-26-006369-IC	Dec. 22 SFMO-to-MPFD Walmart message; Aug. 20 and Sept. 17 DSHS–City inspection records; and exact March 11 and September 2 City-to-Titus CAD parent families, including the September 2 CAR25958 correction/history attachments.	**Lead**; FAP ¶¶66–70; filed Volume 1, Exhibit F; Appendices PR-C, PR-I, and PR-K. The appendix identifies exact SFMO, DSHS–City, and City-to-Titus-CAD message families within the requested period that match the original Walmart terms. Previously supplied loose permit pages and monthly reports are not demanded again.
VII	OR-26-013327-IC	Actual DTRG fee bills, invoices, billing statements, and public-fund payment records relating to Kyle Moring/Walmart; none located in the reviewed 326-message USB. City Finance separately identified 40–60 invoices per vendor in the broader 2025 Bryan/DTRG request.	**Lead as a requested record family**; FAP ¶¶71–75; filed Volume 1, Exhibit G; Respondent's Plea, Exhibit A, page 5 (Aug. 25, 2026 Beck letter); Appendix PR-J. No actual Count VII-responsive DTRG fee bill or public-fund payment record was located in the reviewed 326-message folder. PR-J corroborates maintained invoice sets but does not treat every broader-request invoice as responsive to Count VII.

Count	OAG reference	Specific present object or bounded family	Posture
VIII	OR-26-014482-IC	Source email identified by City form as "E-Mail on 01/09/2026 15:02."	**Lead**; FAP ¶¶76–79; filed Volume 1, Exhibit H, especially H-2; Appendix PR-D. The City-produced inspection summary identifies the source as "E-Mail on 01/09/2026 15:02," but that specifically identified source email was not located in the reviewed production.
IX	OR-26-014805-IC	Six bounded agency families: Dec. 22 SFMO-to-MPFD message (PR-C); Aug. 10 City-to-TCEQ parent (PR-E); TCEQ Investigation 2082615/June 25 City letter (PR-G); five City-completed Water Use Reports (PR-H); Aug. 20 and Sept. 17 DSHS-City Walmart inspection records (PR-I); and the Oct. 15–17 DSHS/City family (PR-A).	**Lead**; FAP ¶¶80–84; filed Volume 1, Exhibit I; Appendices PR-A, PR-C, PR-E, PR-G, PR-H, and PR-I. Each bounded family is tied to an exact date, identifier, and evidence of City receipt or authorship. The July 15 DSHS referral is excluded because the City produced it on August 4, 2026.

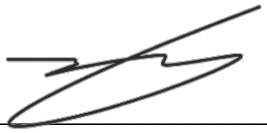
Count	OAG reference	Specific present object or bounded family	Posture
X	OR-26-027775-IC	July 18, 2025, 9:40 a.m. incoming one-minute call involving [redacted] in any existing City-side device/account/carrier record within possession or control.	**Secondary**; FAP ¶¶85–88; filed Volume 2, Exhibit L-2. Petitioner's retained evidence identifies the call's exact date, time, number, and duration, but a corresponding City-controlled device, account, or carrier record remains dependent on retention and control proof. No claim is made that the phone's Recents screen itself had to retain the call.
XI	OR-26-000002-IC	PBX/CDR entries, if any, for the City-published Chief of Police line 903-575-4115, or its mapped PBX user/extension identifier, during October 14, 2025 at 8:00 a.m. through October 23, 2025 at 5:00 p.m., limited to the eight external numbers identified in the clarified request. Neither the December 29 nor the later March 10 per-line production accounted for that line.	**Secondary**; FAP ¶¶89–92; filed Volume 3, Exhibits M-1 through M-5. Those exhibits document the request, follow-up, production, and closure; M-6 is supporting analysis only. A matching Chief-line entry still requires PBX/provider source proof. Later-produced 903-575-4004 entries corroborate incomplete original line accounting but are not presently missing records.

Count	OAG reference	Specific present object or bounded family	Posture
XII	OR-25-034390-IC	City-side complaint/intake records generated by Petitioner's July 25 and July 26, 2025 MyHealthDepartment Code Enforcement Case submissions concerning Walmart Store 131, including each maintained complaint/case ID, submitted field values, original uploads, routing or assignment events, status or disposition, and audit history.	**Lead as to two bounded submissions**; Appendix PR-F; FAP ¶¶94–96; filed Volume 3, Exhibit O-5. Petitioner retained the City portal confirmation screens. Associated City-side complaint/intake records remain disputed only to the extent maintained; no creation of a new record is requested.
XIII	OR-25-057987-IC	Native November 25, 2025, 8:37 p.m. Lea Ream-to-Mayor-and-Council parent email, subject "FW: Ordinance 2025-24: Significant Whistleblower, TPIA, and Public-Safety Implications," Message-ID <BY1PR22MB403823A57D1A8ACBB9FD5326BDDEA@BY1PR22MB4038.namprd22.prod.outlook.com>, or one City-recipient native copy preserving that Message-ID and full headers; plus the prior-draft/version-history and Agenda Item Report family associated with the ordinance file marked v2.	**Lead:** native Ream parent email not located; later Webster wrapper quotes it and supplies its Message-ID. After Petitioner's November 26 follow-up, no AG-ruling notice, copy, or control number followed Webster's stated intent to seek one. Later threads corroborate initial omission but are not claimed missing. **Secondary:** drafts/version history and Agenda Item Report. FAP ¶¶98–100; filed Volume 3, Exhibit P, especially P-1, P-2, P-4, P-6, and P-7.

DECLARATION

My name is Kyle Douglas Moring, my date of birth is [redacted], and my address is [redacted]. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Franklin County, State of Texas, on August 30, 2026.



_____

Kyle Douglas Moring, Declarant

CAUSE NO. 44437

KYLE DOUGLAS MORING v. CITY OF MOUNT PLEASANT, TEXAS

PETITIONER'S FOCUSED JURISDICTIONAL EVIDENCE APPENDIX

PR-A THROUGH PR-K

Submitted with Petitioner's Response to Respondent's Plea to the Jurisdiction

Designation note. PR-A through PR-K are appendix cross-reference identifiers corresponding to Plaintiff's Exhibits 1 through 11, respectively. PR-B does not rename previously filed Exhibits C or AB.

ID	Counts	Contents and limited purpose	Appendix pages
PR-A	II, IX	Oct. 15–17 City–DSHS email/calendar family; exact City-side parent family and organizer item.	3–8
PR-B	III	Previously filed C/AB material identifying the requested source call/voicemail record and later PNG fields.	9–16
PR-C	V, VI, IX	Dec. 22, 2025 SFMO-to-MPFD transmittal; exact sender, City address, time, subject, and responsive identifiers.	17–19
PR-D	VIII	City MPFD form identifying the source as 'E-Mail on 01/09/2026 15:02.'	20
PR-E	IX	City-produced TCEQ reply identifying the outgoing City parent by exact Message-ID.	21

Foundation. The declaration identifies each source and comparison. Items are offered for the limited existence, transmission, identity, scope, and present-production propositions stated—not to prove motive, deletion, or that a recipient opened a message.

SUPPLEMENTAL INDEX

PR-F THROUGH PR-K

ID	Counts	Contents and limited purpose	Appendix pages
PR-F	XII	July 25 and 26 MyHealthDepartment submission confirmations; September 22 shown only as platform-use corroboration.	22–25
PR-G	IX	TCEQ Investigation 2082615 / Incident 443283 and June 25, 2025 letter addressed to Mayor Tracy Craig.	26–31
PR-H	IX	Five City-completed 2025 Water Use Reports: WSC-269, ADJ-4560, and three ADJ-4565 reports.	32–42
PR-I	VI, IX	Aug. 20 native DSHS-to-Ankrum Inspection 308620 message/NIO and Sept. 17 DSHS reply to City recipients.	43–47
PR-J	V, VII	Nov. 26 Webster native EML and Nov. 13 City Finance invoice-set control, with express scope limitations.	48–50
PR-K	VI	Exact Mar. 11 and Sept. 2 City-to-Titus CAD parents; Sept. 2 corrected-report and permit-history attachments.	51–58

PR-K limits. The monthly permit reports and underlying permit pages previously supplied are not demanded again. PR-K is mapped only to Count VI, not Count IX; Titus CAD is not treated as a regulatory agency within the pleaded Count IX request.

From: **Candias Webster** cwebster@mpcity.org
Subject: RE: TPIA Request — Records re City meeting/visit with Walmart #131 management on/about October 28, 2025
Date: November 13, 2025 at 8:28 AM
To: Kyle Moring [redacted]
Cc: Austin Beck abeck@dtrglaw.com

CW

Good morning, Kyle,

This was a joint inspection at the request of the DSHS. We walked the property with the state inspector, and this was not an annual inspection for us. The annual inspection was done in July, and the next one will be in January. The state inspector should have all the information you are looking for.

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

ATTENTION OFFICIALS: A "Reply to All" on this e-mail or reply or forward to one other official could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

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From: Kyle Moring [redacted]
Sent: Wednesday, November 12, 2025 3:18 PM
To: Candias Webster <cwebster@mpcity.org>
Cc: Austin Beck <abeck@dtrglaw.com>; Rob Vine <rvine@mpcity.org>; Wesley Lyon <wlyon@mpcity.org>; [redacted]
Subject: Re: TPIA Request — Records re City meeting/visit with Walmart #131 management on/about October 28, 2025

CAUTION: [EXTERNAL EMAIL]

The HSCloud export and photos confirm that a walk-through occurred, but they do not include the **numeric TCS/product temperatures, instrument calibration, sink wash temperature/sanitizer readings, time in/out, or corrective actions** customary for a complaint-driven visit. Please produce those items for October 28, 2025 (or certify their non-existence) and provide native photo files with EXIF metadata. If none were taken, please explain the City's policy for measurement/verification during complaint follow-ups.

With gratitude,

Kyle Moring

From: Patel,Milan (DSHS)
To: John Ankrum
Cc: Martinez,Eric (DSHS); Lynn Barrett
Subject: RE: Complaint
Date: Thursday, October 16, 2025 9:49:00 AM
Attachments: image001.png

Thank you. I sent over an invite.

Milan Patel
Compliance Officer
Manufactured Food Operations Branch
Consumer Protection Division
Texas Department of State Health Services
Email: milan.patel@dshs.texas.gov
Office: 512-834-6670
Cell: [redacted]
Fax: 512-206-3790

Website: www.dshs.texas.gov/foods
Open Records e-mail: FORR@dshs.texas.gov
General e-mail: Foods.regulatory@dshs.texas.gov



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From: John Ankrum <jankrum@mpcity.org>
Sent: Thursday, October 16, 2025 9:37 AM
To: Patel,Milan (DSHS) <Milan.Patel@dshs.texas.gov>
Cc: Martinez,Eric (DSHS) <Eric.Martinez1@dshs.texas.gov>; Lynn Barrett <LBarrett@mpcity.org>
Subject: RE: Complaint

Yes it does

From: Patel,Milan (DSHS) <Milan.Patel@dshs.texas.gov>
Sent: Thursday, October 16, 2025 9:35 AM
To: John Ankrum <jankrum@mpcity.org>
Cc: Martinez,Eric (DSHS) <Eric.Martinez1@dshs.texas.gov>; Lynn Barrett <LBarrett@mpcity.org>
Subject: RE: Complaint

CAUTION: [EXTERNAL EMAIL]

Good morning,

Does 10 am tomorrow work you? If yes, I will send an invite.

Thanks,

Milan

Milan Patel
Compliance Officer
Manufactured Food Operations Branch
Consumer Protection Division
Texas Department of State Health Services
Email: milan.patel@dshs.texas.gov
Office: 512-834-6670
Cell: [redacted]
Fax: 512-206-3790

Website: www.dshs.texas.gov/foods
Open Records e-mail: FORR@dshs.texas.gov
General e-mail: Foods.regulatory@dshs.texas.gov



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From: John Ankrum <jankrum@mpcity.org>
Sent: Thursday, October 16, 2025 9:32 AM
To: Patel,Milan (DSHS) <Milan.Patel@dshs.texas.gov>
Cc: Martinez,Eric (DSHS) <Eric.Martinez1@dshs.texas.gov>; Lynn Barrett <LBarrett@mpcity.org>
Subject: RE: Complaint

WARNING: This email is from outside the HHS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Hey Milan, we can join tomorrow before noon or any day next week except Friday.

From: Patel,Milan (DSHS) <Milan.Patel@dshs.texas.gov>

Sent: Wednesday, October 15, 2025 3:17 PM
To: John Ankrum <jankrum@mpcity.org>
Cc: Martinez,Eric (DSHS) <Eric.Martinez1@dshs.texas.gov>
Subject: Complaint

CAUTION: [EXTERNAL EMAIL]

Good afternoon,

I am a compliance officer with Manufactured Food Operations with DSHS. Do you have any availability to join in on a teams meeting to discuss a complaint in your jurisdiction? If yes, what time/date works best for you?

Look forward to hearing from you,

Milan

Milan Patel
Compliance Officer
Manufactured Food Operations Branch
Consumer Protection Division
Texas Department of State Health Services
Email: milan.patel@dshs.texas.gov
Office: 512-834-6670
Cell: [redacted]
Fax: 512-206-3790

Website: www.dshs.texas.gov/foods
Open Records e-mail: FORR@dshs.texas.gov
General e-mail: Foods.regulatory@dshs.texas.gov



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APPENDIX PR-A — SELECTED CALENDAR-FIELD RENDERING

DSHS-produced October 17, 2025 Microsoft Teams calendar record

Field	Value
Source file	A2)A10312025.0450015.ics
Summary	Complaint
Organizer	Patel, Milan (DSHS) — Milan.Patel@dshs.texas.gov
Start	Friday, October 17, 2025, 10:00 a.m. Central Time
End	Friday, October 17, 2025, 11:00 a.m. Central Time
Location	Microsoft Teams Meeting
Required attendees	Eric Martinez (DSHS); Lynn Barrett (City); John Ankrum (City)
Optional attendee	Candias Webster (City)
Native ICS SHA-256	`15eb7b85a0303bf3a375925945897aee7a2e82bb782dbe74f3de152e1c450b78`

Limited purpose. This rendering is offered to identify the maintained calendar record, its participants, date, time, organizer, and City-account relationship. The native ICS is retained for inspection and authentication. Meeting-access credentials and unrelated transport details are intentionally omitted.

Rendering of City-Produced “Accepted: Complaint” Meeting Responses (native .msg)

Prepared from two native .msg files produced by the City of Mount Pleasant in its April 21, 2026 regulatory-agency-correspondence production (folder “04-01-2026”): “Accepted Complaint.msg” and “Accepted Complaint_1.msg.” Both are Outlook meeting-response records (message class IPM.Schedule.Meeting.Resp.Pos). The native files accompany this submission in the “Native Files” folder.

Record 1 — Ankrum acceptance

From:	John Ankrum (City of Mount Pleasant)
To:	Patel, Milan (DSHS) — Milan.Patel@dshs.texas.gov
Sent:	Thursday, October 16, 2025, 14:53 UTC (9:53 a.m. CT)
Subject:	Accepted: Complaint
Class:	IPM.Schedule.Meeting.Resp.Pos (positive meeting response)

Record 2 — Webster acceptance

From:	Candias Webster — cwebster@mpcity.org
To:	Patel, Milan (DSHS) — Milan.Patel@dshs.texas.gov
Sent:	Thursday, October 16, 2025, 14:58 UTC (9:58 a.m. CT)
Subject:	Accepted: Complaint
Class:	IPM.Schedule.Meeting.Resp.Pos (positive meeting response)

Significance: these City-side responses to the DSHS “Complaint” meeting invitation were sent from City accounts on October 16, 2025, were responsive to the complainant’s October 29, 2025 request (calendars/invites, Teams records, interagency communications regarding the October 28 Walmart #131 visit), and were produced by the City only on April 21, 2026, in a separate production — confirming that responsive City-side Outlook/calendar records existed at the time of the request sequence and were later retrieved by the City.

From: **Kyle Moring** [redacted]
Subject: Texas Public Information Act Request – Temporary Custodian Records (Chief personal phone call history) Related to MPPD Case 25-17553
Date: December 4, 2025 at 8:05 AM
To: April Nipp anipp@mpcity.org

KM

Good morning,

Pursuant to Tex. Gov't Code § 552.002(a-1)–(a-2) and § 552.004, please retrieve and produce public information held by temporary custodians, limited to communications concerning the October 22, 2025 Walmart Store #131 criminal trespass incident (MPPD Case 25-17553).

Requested records (Chief Mark Buhman's personal phone, limited scope):

For 10/22/2025 00:00 through 10/29/2025 23:59 (Central Time), please produce screenshots or native exports (in the manner allowed) of the Chief's call history and voicemail logs that reflect calls to/from:

- Carrie Mahon and/or numbers associated with Walmart Store #131 contacts
- Sgt. John Beasley and other MPPD personnel involved in the CT response, to the extent the calls relate to case 25-17553

Please include date/time, call direction (in/out/missed), duration, and any contact label. Redact personal numbers as required, but preserve any non-confidential labels.

With gratitude,

Kyle Moring

(972) [redacted]

From: **Candias Webster** cwebster@mpcity.org
Subject: RE: Texas Public Information Act Request – Temporary Custodian Records (Chief personal phone call history) Related to MPPD Case 25-17553
Date: December 17, 2025 at 3:47 PM
To: Kyle Moring [redacted] Austin Beck abeck@dtrglaw.com
Cc: Lea Ream lream@dtrglaw.com

CW

Good afternoon, Mr. Moring,

Here is the information you requested regarding "Texas Public Information Act Request – Temporary Custodian Records (Chief personal phone call history) Related to MPPD Case 25-17553"

10/22/25 at 8:48 AM, outgoing call to Carrie Mahon, duration 2 minutes.

10/22/25 at 8:51 AM, outgoing call to John Beasley, duration 1 minute.

No further. Screenshots would include the individual's phone numbers, so I have provided the requested information.

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

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From: April Nipp <anipp@mpcity.org>
Sent: Thursday, December 4, 2025 8:22 AM
To: Mark Buhman <mbuhman@mpcity.org>
Cc: Candias Webster <cwebster@mpcity.org>
Subject: FW: Texas Public Information Act Request – Temporary Custodian Records (Chief personal phone call history) Related to MPPD Case 25-17553

From: Kyle Moring [redacted]
Subject: Re: Texas Public Information Act Request – Temporary Custodian Records (Chief personal phone call history) Related to MPPD Case 25-17553
Date: December 17, 2025 at 4:10 PM
To: Candias Webster cwebster@mpcity.org
Cc: Austin Beck abeck@dtrglaw.com, Lea Ream lream@dtrglaw.com

KM

Ms. Webster,

Thank you for your response and for providing a summary of two outgoing calls.

To complete my Public Information Act request, I am requesting copies of the responsive records themselves—i.e., the call log (and voicemail log if applicable) records from the Chief's phone for October 22, 2025 through October 29, 2025, that reflect the responsive entries.

My original request expressly permitted redaction of personal telephone numbers. Accordingly, please provide the responsive records in redacted form (for example, cropped/redacted screenshots of the specific call log entries and any responsive voicemail log entries), with the remaining fields visible (date/time, call direction, duration, and any contact label).

If the City is withholding any portion of the responsive records (including phone numbers), please identify the specific statutory basis for each redaction/withholding and advise whether the City is seeking an Attorney General decision as to any withheld information.

Additionally, please confirm in writing whether there were any responsive voicemail logs during the requested time period, and whether there were any additional responsive calls (incoming, outgoing, or missed) beyond the two calls listed in your email.

Thank you for your assistance.

With gratitude,

Kyle Moring

(972)[redacted]

> On Dec 17, 2025, at 3:46 PM, Candias Webster <cwebster@mpcity.org> wrote:
>
> Good afternoon, Mr. Moring,
>
> Here is the information you requested regarding "Texas Public Information Act Request – Temporary Custodian Records (Chief personal phone call history) Related to MPPD Case 25-17553"
>
> 10/22/25 at 8:48 AM, outgoing call to Carrie Mahon, duration 2 minutes.
>
> 10/22/25 at 8:51 AM, outgoing call to John Beasley, duration 1 minute.
>
> No further. Screenshots would include the individual's phone numbers, so I have provided the requested information.
>
> [illegible]

CAUSE NO. 44437

KYLE DOUGLAS MORING,	§	**IN THE DISTRICT COURT**
Petitioner,	§	
v.	§	**TITUS COUNTY, TEXAS**
CITY OF MOUNT PLEASANT, TEXAS,	§	
Respondent.	§	**76TH JUDICIAL DISTRICT**

PETITIONER'S PROPOSED EXHIBIT AB
CITY-PRODUCED PNG METADATA AND SOURCE VERIFICATION

C-3 call-log screenshots | IMG_0486.PNG and IMG_0487.PNG

Limited purpose

This exhibit identifies the two PNG files contained in the production archive titled "2026-06-02 - City of Mount Pleasant - OAG Production Bundle (OAG Complaints).zip," records the files' embedded EXIF and XMP date fields, and displays the exact PNG members for comparison. The exhibit distinguishes the date shown inside each call-log entry from the date fields embedded in the PNG file itself.

Key finding. IMG_0486.PNG contains EXIF and XMP date fields of May 11, 2026 at 3:33:09 p.m.; IMG_0487.PNG contains corresponding fields of May 11, 2026 at 3:33:21 p.m. The displayed phone clock reads 3:33 in both images. The embedded times are twelve seconds apart.

Three dates that must not be conflated

1. Call-event date shown on screen: October 22, 2025 (the underlying outgoing-call entries).

2. Embedded PNG date fields: May 11, 2026 at 3:33:09 p.m. and 3:33:21 p.m. (no time-zone offset stored).

3. Production-package date: The source archive is identified in Petitioner's records as the City's June 2, 2026 OAG-complaint production.

Chronological comparison: May 11, 2026 is 189 days after November 3, 2025. The embedded fields therefore do not corroborate an assertion that these exact PNG files were produced on November 3, 2025; that comparison remains subject to the metadata limitations stated in this exhibit.

Method note: The source PNG members were extracted byte-for-byte from the ZIP. The files were not opened in an editor, resaved, annotated, or assigned new metadata before hashing and extraction.

Source and verification record

Source archive	2026-06-02 - City of Mount Pleasant - OAG Production Bundle (OAG Complaints).zip
Archive SHA-256	`869a313d9b98404646a37ff3c626caf216f6c445417d90be2316f2e86485cad8`
Archive status	ZIP integrity test passed; both PNG members are stored without compression.
Extraction check	Each extracted PNG is byte-identical to its corresponding ZIP member.
Read-only method	Python 3.12; Pillow 12.3.0; direct PNG-chunk CRC validation; SHA-256 via Python hashlib.

File-by-file comparison

Field	IMG_0486.PNG	IMG_0487.PNG
Visible phone clock	3:33	3:33
Visible call entry	John Beasley; outgoing; 10/22/25 8:51 AM; 1 minute	Carrie Mahon; outgoing; 10/22/25 8:48 AM; 2 minutes
EXIF DateTime	2026:05:11 15:33:09	2026:05:11 15:33:21
EXIF DateTimeOriginal	2026:05:11 15:33:09	2026:05:11 15:33:21
XMP DateCreated	2026-05-11T15:33:09	2026-05-11T15:33:21
XMP ModifyDate	2026-05-11T15:33:09	2026-05-11T15:33:21
Description / comment	Screenshot / Screenshot	Screenshot / Screenshot
Dimensions / format	1179 x 2556; 16-bit RGB PNG	1179 x 2556; 16-bit RGB PNG
ZIP CRC-32 / bytes	2C13F700 / 5,387,323	E0DBA746 / 5,378,605

SHA-256 hashes of exact PNG members

```
IMG_0486.PNG: 137d00ee08982712ba5ca527e9aee9b6eca1644ce9ada4b06eae4fadba132d7c
IMG_0487.PNG: 2d4076be81fd7cbbae923d43ab234f3c80f7359e9f176c412d115e7a487022f6
```

Interpretive limit. The metadata fields are internally consistent, but they contain no time-zone offset, device Make/Model, GPS data, or cryptographic signature. Metadata alone does not identify who operated the device. The source and chain of custody remain matters for testimony and the City's production record.

Exact source image: IMG_0486.PNG

John Beasley call entry; displayed phone clock 3:33; outgoing call dated October 22, 2025 at 8:51 a.m.



Exact member SHA-256: 137d00ee08982712ba5ca527e9aee9b6eca1644ce9ada4b06eae4fadba132d7c

The image above is displayed without crop or annotation. The embedded display copy in this exhibit is not a substitute for the exact source PNG identified by the hash.

Exact source image: IMG_0487.PNG

Carrie Mahon call entry; displayed phone clock 3:33; outgoing call dated October 22, 2025 at 8:48 a.m.



Exact member SHA-256: 2d4076be81fd7cbbae923d43ab234f3c80f7359e9f176c412d115e7a487022f6

The image above is displayed without crop or annotation. The embedded display copy in this exhibit is not a substitute for the exact source PNG identified by the hash.

Read-only embedded-metadata extraction report

Petitioner-generated technical aid. Source PNG files unchanged. Values below are reported from the exact ZIP members identified on AB-2.

```
IMG_0486.PNG
  FileSizeBytes             : 5387323
  SHA256                    : 137d00ee08982712ba5ca527e9aee9b6eca1644ce9ada4b06eae4fadba132d7c
  ZIPMemberCRC32            : 2C13F700
  ByteIdenticalToZIPMember  : True
  PNGChunkCRCsValid         : True
  EmbeddedEXIFChunk         : True
  EmbeddedXMPiTXtChunk      : True
  ImageWidth x ImageHeight  : 1179 x 2556
  BitDepth / ColorType      : 16 / 2 (truecolor RGB)
  EXIF:ImageDescription     : Screenshot
  EXIF:DateTime             : 2026:05:11 15:33:09
  EXIF:DateTimeOriginal     : 2026:05:11 15:33:09
  EXIF:UserComment          : Screenshot
  XMP:DateCreated           : 2026-05-11T15:33:09
  XMP:ModifyDate            : 2026-05-11T15:33:09
  XMPToolkit                : XMP Core 6.0.0
  NotPresent                : OffsetTime, OffsetTimeOriginal, OffsetTimeDigitized, SubSecTime,
Make, Model, GPSInfo, PNG tIME chunk

IMG_0487.PNG
  FileSizeBytes             : 5378605
  SHA256                    : 2d4076be81fd7cbbae923d43ab234f3c80f7359e9f176c412d115e7a487022f6
  ZIPMemberCRC32            : E0DBA746
  ByteIdenticalToZIPMember  : True
  PNGChunkCRCsValid         : True
  EmbeddedEXIFChunk         : True
  EmbeddedXMPiTXtChunk      : True
  ImageWidth x ImageHeight  : 1179 x 2556
  BitDepth / ColorType      : 16 / 2 (truecolor RGB)
  EXIF:ImageDescription     : Screenshot
  EXIF:DateTime             : 2026:05:11 15:33:21
  EXIF:DateTimeOriginal     : 2026:05:11 15:33:21
  EXIF:UserComment          : Screenshot
  XMP:DateCreated           : 2026-05-11T15:33:21
  XMP:ModifyDate            : 2026-05-11T15:33:21
  XMPToolkit                : XMP Core 6.0.0
  NotPresent                : OffsetTime, OffsetTimeOriginal, OffsetTimeDigitized, SubSecTime,
Make, Model, GPSInfo, PNG tIME chunk
```

What the report does and does not establish

Establishes from the files: the exact bytes analyzed; the embedded EXIF/XMP values; the files' visual contents; and the internal consistency of the date fields.

Requires other foundation: who created the screenshots, which device was used, who preserved or transmitted them, and when the City first possessed or produced them.

From:	Christopher Rusche
To:	Chuck Allen; Debra Knight; Kelley Stalder
Subject:	Fw: Request for State Fire Marshal Review / Fire & Life-Safety Inspection Assistance — Walmart Supercenter #131 (Mount Pleasant, TX)
Date:	Tuesday, December 30, 2025 1:53:37 PM
Attachments:	2025-12-21 - SFMO - Store 131 Evidence Binder.pdf

Below is my email the to fire department regarding this situation.

Christopher Rusche

Lieutenant – Inspections

State Fire Marshal's Office

PO Box 12107

Austin, Texas 78711-2107

512-417-4663

Stay connected with the State Fire Marshal's Office

Twitter | Facebook | LinkedIn | YouTube | Subscribe

From: Christopher Rusche
Sent: Monday, December 22, 2025 9:15:08 AM
To: mpfd@mpcity.org <mpfd@mpcity.org>
Subject: FW: Request for State Fire Marshal Review / Fire & Life-Safety Inspection Assistance — Walmart Supercenter #131 (Mount Pleasant, TX)

Good Morning,

I am with the State Fire Marshal's Office. We received the complaint below and attachment for the Walmart in Mount Pleasant.

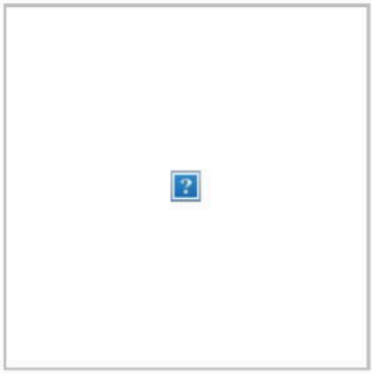
Regards,

Christopher Rusche

Lieutenant – Inspections
State Fire Marshal's Office
PO Box 12107
Austin, Texas 78711-2107
512-417-4663

Stay connected with the State Fire Marshal's Office

Twitter | Facebook | LinkedIn | YouTube | Subscribe



From: Kyle Moring [redacted]
Sent: Sunday, December 21, 2025 10:21
To: FireInspection <FireInspection@tdi.texas.gov>
Cc: FireMarshal <Fire.Marshal@tdi.texas.gov>
Subject: Request for State Fire Marshal Review / Fire & Life-Safety Inspection Assistance — Walmart Supercenter #131 (Mount Pleasant, TX)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown or unexpected emails.

Dear State Fire Marshal's Office,

I am respectfully requesting the State Fire Marshal's Office review and assistance regarding ongoing **fire and life-safety concerns** at the following property:

Walmart Supercenter #131

2311 South Jefferson Avenue

Mount Pleasant, Texas 75455

These concerns involve **chronic means-of-egress obstructions**, **documented sprinkler system performance and maintenance deficiencies**, **fire alarm integrity issues**, **hazardous materials and firearms/ammunition storage marking and protection**, and **recurring ceiling system deficiencies** documented by both local fire inspectors and state inspectors over multiple years.

Due to the **recurring nature of these conditions** and the **absence of effective local enforcement** despite repeated written notice, follow-up, and confirmation of unpermitted work, I am requesting **state-level review**.

Please see the attached evidence binder for a complete narrative, timeline, and supporting exhibits, including city fire inspection records, DSHS inspection reports and photo documentation, correspondence with local officials, and related materials.

I respectfully request that the State Fire Marshal's Office:

1. Conduct a fire/life-safety inspection or state-level review of this property, or
2. If a direct inspection is not feasible due to jurisdictional or procedural limitations, provide guidance on the

appropriate **state process for referral, oversight, or coordinated enforcement** to ensure these hazards are independently evaluated and corrected.

Please confirm receipt of this submission and advise on next steps, including any preferred method for providing supplemental materials if needed.

Respectfully submitted in good faith,

/s/ Kyle Douglas Moring

Kyle Douglas Moring, M.S., LPC-Associate

Former Asset Protection Investigator – Walmart Store #131

Designated Representative of Current Walmart Store #131 Employees

OSHA §11(c) / FSMA Whistleblower Complainant

(972) [redacted] | [redacted]

Inspector:

Name: Evans, Charles
Rank: FF
Work Phone(s): None on file
Email(s): cevans@mpcity.org
Evans, Charles:



Signed on: 01/09/2026 15:01

Signature

Date

Representative Signature:

Signature of: E-Mail on 01/09/2026 15:02



Signature

Date

APPENDIX PR-E — SELECTED HEADER RENDERING

City-produced TCEQ automatic reply; August 28, 2026 regulatory-agency USB folder

Header	Value
From	Donna Huff <donna.huff@tceq.texas.gov>
To	Wesley Lyon <wlyon@mpcity.org>
Date	Sun, 10 Aug 2025 18:41:59 +0000
Subject	Automatic reply: Pilgrim's Mount Pleasant Stench , Friday 8-8-25
Automatic-reply Message-ID	<a8121bc3cc234c8bb809a4a264eadccc@SA0PR13MB4080.namprd13.prod.outlook.com>
In-Reply-To	<CH2PR16MB359113EF0BCEDC2A0F5664CFD729A@CH2PR16MB3591.namprd16.prod.outlook.com>
X-MS-Exchange-Parent-Message-Id	<CH2PR16MB359113EF0BCEDC2A0F5664CFD729A@CH2PR16MB3591.namprd16.prod.outlook.com>
Converted EML SHA-256	2750a47ff79c5c3cb840dfeccab9d76e6738b711bfa7785ff3ed0ea8e1c296da

Limited purpose. The automatic reply is offered to show the existence and transmission relationship of the identified outgoing City parent and to supply an exact correlation identifier. It is not offered for the truth of the missing parent's contents, to prove deletion, or to prove that a particular person read the parent message.

Source note. This page is an accurate rendering of selected RFC-822 fields from the EML conversion retained with the USB review. The City-produced MSG source and the converted EML should be retained with the paper exhibit for authentication if requested.

CAUSE NO. 44437

KYLE DOUGLAS MORING v. CITY OF MOUNT PLEASANT, TEXAS

PLAINTIFF'S PROPOSED EXHIBIT 6 (PR-F)

CITY MYHEALTHDEPARTMENT PORTAL SUBMISSION CONFIRMATIONS

Limited purpose. This compilation is offered to show that Petitioner submitted two complaints through the City of Mount Pleasant's identified MyHealthDepartment "Code Enforcement Case" portal on July 25 and July 26, 2025; to identify the portal route and retained confirmation screens; and to support the specifically disputed City-side complaint/intake record families within Count XII's July 18–30, 2025 request window.

Scope boundary. The September 22 confirmation is outside Count XII's July 18–30 request window and is included only as platform-use corroboration. It is not represented as a record responsive to that Count XII window. These requester-retained screens do not independently prove a City back-end case number, staff assignment, routing history, disposition, deletion, or motive.

Source and page map

Exhibit pages	Source	Use
PR-F-2	July 25, 2025 portal confirmation (source PDF p. 1)	Direct Count XII submission evidence
PR-F-3	July 26, 2025 portal confirmation (1 page)	Direct Count XII submission evidence
PR-F-4	September 22, 2025 portal confirmation (source PDF p. 1)	Out-of-window platform-use corroboration only

Source-file verification

July 25 SHA-256: 1344b1f1dc51c60732ea59574bb0798daebeaed1175ec525301e1394a26150d5

July 26 SHA-256: 2f0de76d013c7324f927d220624e20e6cbe148fd74c3af64186317db92594d6b

September 22 SHA-256: 4af1a970e21d38118486a4fddb3c38d98ca4b60ea7b9b26ad3d2f34e9bda418f

Authentication note. Petitioner may authenticate the submissions from personal knowledge and identify these as the confirmation screens retained contemporaneously. The included source pages are appended without textual alteration; the hashes above identify the exact source files used in this compilation. Blank second pages in the July 25 and September 22 source PDFs are omitted as non-substantive.

The City of Mount Pleasant
501 North Madison
Mount Pleasant, TX 75455-3650 | Visit Official Website (https://mpcity.net/)

() | The City of Mount Pleasant (/mptx) | Code Enforcement Case

Code Enforcement Case

Please fill out the form below and click "Submit" at the bottom of the screen.

Thank you for submitting this information. We will follow-up on this as soon as possible.

My Health Department

Copyright © 2025 My Health Department. All rights reserved.

The City of Mount Pleasant
501 North Madison
Mount Pleasant, TX 75455-3650 | Visit Official Website

Code Enforcement Case

Please fill out the form below and click "Submit" at the bottom of the screen.

Thank you for submitting this information. We will follow-up on this as soon as possible.

My Health Department

Copyright © 2025 My Health Department. All rights reserved.

The City of Mount Pleasant
501 North Madison
Mount Pleasant, TX 75455-3650 | Visit Official Website (https://mpcity.net/)

() | The City of Mount Pleasant (/mptx) | Code Enforcement Case

Code Enforcement Case

Please fill out the form below and click "Submit" at the bottom of the screen.

Thank you for submitting this information. We will follow-up on this as soon as possible.

My Health Department

Copyright © 2025 My Health Department. All rights reserved.

CAUSE NO. 44437

KYLE DOUGLAS MORING v. CITY OF MOUNT PLEASANT, TEXAS

PLAINTIFF'S PROPOSED EXHIBIT 7 (PR-G)

TCEQ INVESTIGATION NO. 2082615 / INCIDENT NO. 443283 AND CITY LETTER

Limited purpose. Offered to identify a specific TCEQ investigation naming the City as respondent and the included June 25, 2025 letter addressed to Mayor Tracy Craig; to show the record existed before the February 9, 2026 search; and to support the bounded Count IX production dispute.

Source-file verification.

TCEQ-produced five-page package SHA-256:
`fac50c4ba67d0fa828fd76b5eb045ff845570125e40417562a8897babc1f33e8`

Page map

Exhibit pages	Source	Use
PR-G-2–6	TCEQ five-page investigation/letter package	Exact investigation, incident, City, and addressee controls

Authentication and limits. The accompanying declaration identifies the public-agency source and the comparison performed. The source pages are appended without textual alteration. These materials are not offered to prove deletion, motive, or that a recipient opened or read a message.

PWS_2250001_CP_20250623_INVESTIGATION

Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: City of Mount Pleasant
Customer Number: CN600130926

Regulated Entity Name: CITY OF MOUNT PLEASANT
Regulated Entity Number: RN103728853

Investigation # 2082615

Incident Numbers
443283

Investigator: BLAKE REYNOLDS

Site Classification SW >10K CONNECTION

Supervisor: JENNIFER BREWTON
Approved Date: 07-15-2025

Conducted: 06/23/2025 -- 06/23/2025

No Industry Code Assigned

Program(s): PUBLIC WATER SYSTEM/SUPPLY

Investigation Type: Compliance Investigation

Location: LOCATED ON N SIDE OF IH 30 ON LAKEWOOD DR IN TITUS CO

Additional ID(s) 2250001

Address: ,
, ,

Local Unit: REGION 05 - TYLER

Activity Type(s PWSCMPL - PWS Complaint
PWSRECON - PWS Recon-Reconnaissance investigation for surface water and groundwater facilities.

Principal(s):

Role	Name
RESPONDENT	CITY OF MOUNT PLEASANT

Contact(s):

Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	MAYOR	HON Tracy Craig	Work	(903) 575-4000

Other Staff Member(s):

Role	Name
Supervisor	JENNIFER BREWTON
Investigator	AMY CAMP
QA Reviewer	JENNIFER BREWTON

Associated Check List

Checklist Name	Unit Name
PWS COMPLAINT INVESTIGATION	COMPLAINT
WATER EQUIPMENT	WATER EQUIPMENT

Investigation Comments:

INTRODUCTION

TCEQ Tyler Region Investigators Mr. Blake Reynolds, and Ms. Amy Camp conducted a Complaint and Reconnaissance Investigation on June 23, 2025, in response to a complaint (Incident # 443283), at City of Mount Pleasant (PWS ID No. 2250001, CN No. 600130926).

GENERAL FACILITY AND PROCESS INFORMATION

The City of Mount Pleasant water system consists generally of a raw water pump station, a new pre-sedimentation basin with transfer pumps, two surface water treatment plants (SWTP), and a distribution system.

System pressure is maintained by three elevated storage tanks located in various parts of the city. The elevated storage tanks satisfy the City's emergency power requirements; however, the system has a 475 KW Diesel Generator serving as an alternate power source at the Lake Bob Sandlin Raw Water Pump Station, and a diesel driven service pump at the I-30 SWTP.

The City of Mount Pleasant wholesales treated surface water to Tri-SUD through four air-gapped interconnections (serving 4,518 connections) and seven direct pressure interconnections (serving 1,060 connections). The City of Winfield is provided water through one air-gapped interconnection (serving 285 connections which includes Miller's Cove).

BACKGROUND

The most recent Comprehensive Compliance Investigation was conducted on April 7, 2024. Please see CCEDS investigation #2001101. There has been 1 prior complaint filed on this system within the last five years.

ADDITIONAL INFORMATION

On June 6, 2025, the TCEQ Tyler Regional Office received a complaint via the TCEQ Customer Hotline. The complaint was regarding a foul odor in the drinking water. The complaint was assigned to an environmental investigator.

Investigators Mr. Blake Reynolds, and Ms. Amy Camp conducted a Complaint and Reconnaissance Investigation on June 23, 2025. During the investigation, the investigator visited with the complainant, who informed the investigator the drinking water odor has improved. A sample was collected at an outside faucet located at the complainant's house.

Flush Valve
Total Chlorine- 1.06 mg/L
Color- 10 Color Units

TCEQ Standards
Total Chlorine- Greater than 0.50 mg/L
Color- Less than 15 color units.

During the investigation, no foul odors were documented. Therefore, no violations were documented. During the investigation, the investigators noted that sulfur pellets and moth balls were scattered outside near the complainant's location, which may create a septic-like smell. The investigators also noted a nearby leak that was being fixed by the city at the time of the investigation, as well as a local line expansion being worked on. The complaint portion of this investigation will be closed.

No Violations Associated to this Investigation

Attachments: (in order of final report submittal)

___Enforcement Action Request (EAR)
__✓__Letter to Facility (specify type) : GC
Investigation Report
___Sample Analysis Results
___Manifests
___Notice of Registration

___Maps, Plans, Sketches
___Photographs
___Correspondence from the facility
___Other (specify) :

B Reynolds

7/14/2025

Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 25, 2025

The Honorable Tracy Craig, Mayor
City of Mount Pleasant
501 N Madison Ave
Mount Pleasant, Texas 75455-3650

Re: Complaint and Reconnaissance Investigations at:
City of Mount Pleasant,
Located on the N side of IH 30, on Lakewood Dr., in (Titus County), Texas
RN103728853, TCEQ Additional ID No.: 2250001, Investigation No.: 2082615

Dear Mayor Craig:

On June 23, 2025, Mr. Blake Reynolds and Ms. Amy Camp of the Texas Commission on Environmental Quality (TCEQ) Tyler Regional Office conducted an investigation of the above-referenced system to evaluate compliance with applicable requirements for public water systems. No violations were documented during the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Reynolds in the Tyler Regional Office at (903) 535-5162.

Sincerely,

Jennifer Brewton

Ms. Jennifer Brewton
PWS Work Leader, Water Program
Tyler Regional Office

JCB/BLR/dfy

TCEQ Complaint Report

07/14/2025
9:57:24AM

Incident No: 443283
Media Type: WATER
Start Date: 6/9/2025 Start Time: 12:00:00AM
Received Date: 06/09/2025
Method : Phone

Staff Member: BREYNOLD
Status: Closed
Status Date: 07/11/2025
Priority: Within 30 Calendar Days

Regulated Entity: CITY OF MOUNT PLEASANT

RN103728853

Address:
TITUS County
Physical Location: LOCATED ON N SIDE OF IH 30 ON LAKEWOOD DR IN TITUS CO

Responsible Party: CITY OF MOUNT PLEASANT
Address: 501 N MADISON AVE, MOUNT PLEASANT, TX 75455

Title:

Number Complaining: 1
Frequency: CURRENT
Alleged Source: CITY OF MOUNT PLEASANT

Program Group: PUBLIC WATER SYSTEM/SUPPLY
Nature: WSQ
Effect: GENERAL

Initial Problem

On June 9, 2025, the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office received a complaint from a concerned citizen in Titus County. The complaint was regarding a foul odor in the drinking water. The complaint is identified as Incident No. 443283.

Action Taken

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Closure Comments

More information will be available upon approval of the investigation report.

Investigation Number: 2082615

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

CAUSE NO. 44437

KYLE DOUGLAS MORING v. CITY OF MOUNT PLEASANT, TEXAS

PLAINTIFF'S PROPOSED EXHIBIT 8 (PR-H)

FIVE CITY OF MOUNT PLEASANT 2025 WATER USE REPORTS

Limited purpose. Offered to identify five specific City-completed records by permit/use, City customer number, signature/receipt controls, and TCEQ record identifier; to show that they predate the February 9, 2026 search; and to support the bounded Count IX production dispute. The later TCEQ export filenames are not represented as City-maintained filenames.

Source-file verification.

2026-01-29 - TCEQ - PIR 26-113798 - Permit WSC-269 - City of Mount Pleasant Document.pdf SHA-256: `73a23d7b307eb4459bc6d63026dde575caba4f94abe8f1df602df421a79fba95`

2026-03-01 - TCEQ - PIR 26-113798 - Permit ADJ-4560 - Water Use Report (Agency-Public Correspondence) (TCEQ ID 8277283).pdf SHA-256: `910e9b4b16bfb352ba9222c4808473e27506248da976c42b939a83bfd78bb334`

2026-03-01 - TCEQ - PIR 26-113798 - Permit ADJ-4565 - Water Use Report (Agency-Public Correspondence) (TCEQ ID 8277306).pdf SHA-256: `0e10bda162786aaae518ae0fe687e74fbef2801b8b8e48c30566327bd80018ad`

2026-03-01 - TCEQ - PIR 26-113798 - Permit ADJ-4565 - Water Use Report (Agency-Public Correspondence) (TCEQ ID 8277311).pdf SHA-256: `220b00d557fcaefe8b638584e8dbb8e4b26d7819184a0e8436335ef1f12d2b35`

2026-03-01 - TCEQ - PIR 26-113798 - Permit ADJ-4565 - Water Use Report (Agency-Public Correspondence) (TCEQ ID 8277315).pdf SHA-256: `384a1ec3f81ff4c42c784ea93d4b55167b33ad16333497e9a10c59d543622429`

Page map

Exhibit pages	Source	Use
PR-H-2–3	WSC-269 report	City/CN and TCEQ record control
PR-H-4–5	ADJ-4560 / TCEQ ID 8277283	City signature and TCEQ receipt control
PR-H-6–7	ADJ-4565 / TCEQ ID 8277306	City signature and TCEQ receipt control
PR-H-8–9	ADJ-4565 / TCEQ ID 8277311	City signature and TCEQ receipt control
PR-H-10–11	ADJ-4565 / TCEQ ID 8277315	City signature and TCEQ receipt control

Authentication and limits. The accompanying declaration identifies the public-agency source and the comparison performed. The source pages are appended without textual alteration. These materials are not offered to prove deletion, motive, or that a recipient opened or read a message.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
REPORT OF SURFACE WATER USED FOR THE YEAR ENDING 2025

for
Water Supply Contract

WATER RIGHT NO:269
B 4

WUR USE: MUNICIPAL/DOMESTIC
AUTH USE: MUNICIPAL/DOMESTIC

I am reporting water used for the water right holder(s) listed below.
CN600130926 City of Mount Pleasant
Additional water right holders may be listed on the back.
☐ Please check the box if you have a change in name, address or ownership and indicate the changes on the back of this form.

CITY OF MOUNT PLEASANT
C/O MAYOR
501 N MADISON AVE
MOUNT PLEASANT, TX 75455-3650

LBS

RECEIVED
JAN 29 2026
Water Availability Division

Instructions for completing the form are enclosed. 1 Acre-Foot = 325,851 Gallons

If you are receiving this Water Use Report form, you must complete, sign, and return this form to TCEQ. Even if your water use is zero, indicate that on this form, provide a reason or explanation in the comment field, and submit the form to TCEQ.

Complete the table below by entering the amount of water that you diverted under this contract (even if zero).

USE: MUNICIPAL/DOMESTIC

Month	Diverted Amount (acre-feet)
Jan	0
Feb	0
Mar	0
Apr	0
May	185.32
Jun	666.37
Jul	769.41
Aug	770.64
Sept	682.00
Oct	683.17
Nov	618.30
Dec	631.91
Total:	5307.12

	Maximum Diversion Rate (Specify ☐CFS or ☑GPM)
	9000

Comments: _____

A water right holder who fails to file a completed form by the due date is liable for a penalty for each day past the due date in an amount not to exceed: (1) $100 per day for a water right authorization of 5,000 acre-feet or less per year; or (2) $500 per day for a water right authorizing more than 5,000 acre-feet per year.

Signature: _____ Date: 1-21-26

Contact Name: Paul Reyes [redacted]
Print Name

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:
Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

If you have a change in name, address or ownership, please indicate the changes on this form.

To submit your Water Use Report (WUR) data electronically, go to the web page below:
https://www.tceq.texas.gov/goto/sunss/

The Form Identification Code printed below will be needed to submit electronically.
This code is specific to this WUR form.
Form Identification Code: [submission code removed]

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:
Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

Completed form is DUE TO TCEQ by: March 01, 2026 ADJ_4560_CO_20260301_Water Use Report 2025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
REPORT OF SURFACE WATER USED FOR THE YEAR ENDING 2025

for Certificate of Adjudication

WATER RIGHT NO:4560
B 4

WUR USE: INDUSTRIAL
AUTH USE: INDUSTRIAL

I am reporting water used for the water right holder(s) listed below.
CN600130926 City of Mount Pleasant
Additional water right holders may be listed on the back.
☐ Please check the box if you have a change in name, address or ownership and indicate the changes on the back of this form.

CITY OF MOUNT PLEASANT
C/O MAYOR
501 N MADISON AVE
MOUNT PLEASANT, TX 75455-3650

CYPRESS RECEIVED
JAN 29 2026
Water Availability Division

RECEIVED
JAN 2 9
Water Ava

Instructions for completing the form are enclosed. 1 Acre-Foot = 325,851 Gallons

If you are receiving this Water Use Report form, you must complete, sign, and return this form to TCEQ. Even if your water use is zero, indicate that on this form, provide a reason or explanation in the comment field, and submit the form to TCEQ. Please coordinate your water use reporting with all holders of this Water Right in order to avoid duplicative reporting.

Complete the table below by entering the amount of water that you diverted and consumed (even if zero). **EXCLUDE GROUNDWATER and WATER THAT YOU PURCHASED UNDER A CONTRACT**.

USE: INDUSTRIAL

Month	Diverted Amount (acre-feet)	Consumed Amount (acre-feet)
Jan	681.57	681.57
Feb	603.20	603.20
Mar	656.33	656.33
Apr	664.82	664.82
May	194.08	194.08
Jun	0	0
Jul	0	0
Aug	0	0
Sept	0	0
Oct	0	0
Nov	0	0
Dec	0	0
Total:	2800	2800

Maximum Diversion Rate (Specify ☐CFS or ☑GPM): 9000

Please answer the following questions.

If you have a permitted on-channel impoundment or reservoir, what is the condition of your dam?

_____
(eg.,Good,Fair,Poor)

Do you have working low flow outlet(s) on your impoundment(s)? ☑Yes ☐No

Comments: _____

A water right holder who fails to file a completed form by the due date is liable for a penalty for each day past the due date in an amount not to exceed: (1) $100 per day for a water right authorization of 5,000 acre-feet or less per year; or (2) $500 per day for a water right authorizing more than 5,000 acre-feet per year.

Signature: Paul Reyes Date: 1-21-26

Contact Name: Paul Reyes [redacted]
Print Name

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:
Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

If you have a change in name, address or ownership, please indicate the changes on this form.

To submit your Water Use Report (WUR) data electronically, go to the web page below:
https://www.tceq.texas.gov/goto/sunss/

The Form Identification Code printed below will be needed to submit electronically.
This code is specific to this WUR form.
Form Identification Code: [submission code removed]

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:
Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

Completed form is DUE TO TCEQ by: March 01, 2026 ADJ_4565_CO_20260301_Water Use Report 2025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
REPORT OF SURFACE WATER USED FOR THE YEAR ENDING 2025

for
Certificate of Adjudication

WATER RIGHT NO:4565
B 4

WUR USE: INDUSTRIAL
AUTH USE: INDUSTRIAL

I am reporting water used for the water right holder(s) listed below.
CN600130926 City of Mount Pleasant
Additional water right holders may be listed on the back.
☐ Please check the box if you have a change in name, address or ownership and indicate the changes on the back of this form.

CITY OF MOUNT PLEASANT
C/O MAYOR
501 N MADISON AVE
MOUNT PLEASANT, TX 75455-3650

TANKERSLEY

RECEIVED
JAN 29 2026
Water Availability Divisio

Instructions for completing the form are enclosed. 1 Acre-Foot = 325,851 Gallons

If you are receiving this Water Use Report form, you must complete, sign, and return this form to TCEQ. Even if your water use is zero, indicate that on this form, provide a reason or explanation in the comment field, and submit the form to TCEQ. Please coordinate your water use reporting with all holders of this Water Right in order to avoid duplicative reporting.

Complete the table below by entering the amount of water that you diverted and consumed (even if zero). **EXCLUDE GROUNDWATER and WATER THAT YOU PURCHASED UNDER A CONTRACT**.

USE: INDUSTRIAL

Month	Diverted Amount (acre-feet)	Consumed Amount (acre-feet)
Jan	0	
Feb	0	
Mar	0	
Apr	0	
May	0	
Jun	0	
Jul	0	
Aug	0	
Sept	0	
Oct	0	
Nov	0	
Dec	0	
Total:	0	
	Maximum Diversion Rate (Specify ☐CFS or ☐GPM)	

Please answer the following questions.

If you have a permitted on-channel impoundment or reservoir, what is the condition of your dam?

Fair
(e.g., Good, Fair, Poor)

Do you have working low flow outlet(s) on your impoundment(s)? ☑Yes ☐No

Comments: _____

A water right holder who fails to file a completed form by the due date is liable for a penalty for each day past the due date in an amount not to exceed: (1) $100 per day for a water right authorization of 5,000 acre-feet or less per year; or (2) $500 per day for a water right authorizing more than 5,000 acre-feet per year.

Signature: Paul Reyes Date: 1-21-26

Contact Name: Paul Reyes [redacted]
Print Name

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:
Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

If you have a change in name, address or ownership, please indicate the changes on this form.

To submit your Water Use Report (WUR) data electronically, go to the web page below:
https://www.tceq.texas.gov/goto/sunss/

The Form Identification Code printed below will be needed to submit electronically.
This code is specific to this WUR form.
Form Identification Code: [submission code removed]

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:
Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

Completed form is DUE TO TCEQ by: March 01, 2026 ADJ_4565_CO_20260301_Water Use Report 2025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
REPORT OF SURFACE WATER USED FOR THE YEAR ENDING 2025

for
Certificate of Adjudication

WATER RIGHT NO:4565
B 4

WUR USE: MUNICIPAL/DOMESTIC
AUTH USE: MUNICIPAL/DOMESTIC

I am reporting water used for the water right holder(s) listed below.
CN600130926 City of Mount Pleasant
Additional water right holders may be listed on the back.
☐ Please check the box if you have a change in name, address or ownership and indicate the changes on the back of this form.

CITY OF MOUNT PLEASANT
C/O MAYOR
501 N MADISON AVE
MOUNT PLEASANT, TX 75455-3650

TAN KERSLEY

RECEIVED
JAN 29 2026
Water Availability Divisio

Instructions for completing the form are enclosed. 1 Acre-Foot = 325,851 Gallons

If you are receiving this Water Use Report form, you must complete, sign, and return this form to TCEQ. Even if your water use is zero, indicate that on this form, provide a reason or explanation in the comment field, and submit the form to TCEQ. Please coordinate your water use reporting with all holders of this Water Right in order to avoid duplicative reporting.

Complete the table below by entering the amount of water that you diverted (even if zero). **EXCLUDE GROUNDWATER and WATER THAT YOU PURCHASED UNDER A CONTRACT**.

USE: MUNICIPAL/DOMESTIC

Month	Diverted Amount (acre-feet)
Jan	0
Feb	0
Mar	0
Apr	0
May	0
Jun	0
Jul	0
Aug	0
Sept	0
Oct	0
Nov	0
Dec	0
Total:	

	Maximum Diversion Rate (Specify ☐CFS or ☐GPM)

Please answer the following questions.

If you have a permitted on-channel impoundment or reservoir, what is the condition of your dam?

Fair

(eg.,Good,Fair,Poor)

Do you have working low flow outlet(s) on your impoundment(s)? ☑Yes ☐No

Comments: _____

A water right holder who fails to file a completed form by the due date is liable for a penalty for each day past the due date in an amount not to exceed: (1) $100 per day for a water right authorization of 5,000 acre-feet or less per year; or (2) $500 per day for a water right authorizing more than 5,000 acre-feet per year.

Signature: _____ Date: 1-21-26

Contact Name: Paul Reyes [redacted]
Print Name

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:
Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

If you have a change in name, address or ownership, please indicate the changes on this form.

To submit your Water Use Report (WUR) data electronically, go to the web page below:

https://www.tceq.texas.gov/goto/sunss/

The Form Identification Code printed below will be needed to submit electronically.
This code is specific to this WUR form.

Form Identification Code: [submission code removed]

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:

Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

Completed form is DUE TO TCEQ by: March 01, 2026 ADJ_4565_CO_20260301_Water Use Report 2025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
REPORT OF SURFACE WATER USED FOR THE YEAR ENDING 2025

for
Certificate of Adjudication

WATER RIGHT NO:4565
B 4

WUR USE: OTHER
AUTH USE: RECREATION

I am reporting water used for the water right holder(s) listed below.
CN600130926 City of Mount Pleasant
Additional water right holders may be listed on the back.
☐ Please check the box if you have a change in name, address or ownership and indicate the changes on the back of this form.

CITY OF MOUNT PLEASANT
C/O MAYOR
501 N MADISON AVE
MOUNT PLEASANT, TX 75455-3650

TANKERSLEY

RECEIVED
JAN 29 2026
Water Availability Division

Instructions for completing the form are enclosed. 1 Acre-Foot = 325,851 Gallons

If you are receiving this Water Use Report form, you must complete, sign, and return this form to TCEQ. Even if your water use is zero, indicate that on this form, provide a reason or explanation in the comment field, and submit this form to TCEQ. Please coordinate your water use reporting with all owners of this Water Right in order to avoid duplicative reporting.

Please answer the following questions. When answering all questions below and completing the table on the right, **EXCLUDE GROUNDWATER and WATER THAT YOU PURCHASED UNDER A CONTRACT**.

1. If you have a permitted on-channel impoundment or reservior, what is the condition of your dam? Fair (e.g.,Good,Fair,Poor)

Do you have working low flow outlet(s) on your impoundment(s)? ☑Yes ☐No

2. Did you divert any permitted water from a watercourse (i.e., a stream and/or on-channel reservoir)? ☐Yes ☑No (If No, skip to question 3 below) If Yes,

Complete the Diverted Column in the table on the right by entering the total amount of water diverted (even if zero).

Check all uses for which water was diverted:

☐Recreation ☐Instream ☐Wetlands ☐Public Parks ☐Game Preserves
☐Hydroelectric ☐Flood Control ☐Navigation ☐Water Quality ☐Other

3. Did you allow permitted water to remain in the watercourse under the terms of your permit?

☑Yes ☐No

If Yes,

Complete the Used Column in the table on the right by entering the total amount of water used (even if zero).

Check all uses for which water was used:

☐Recreation ☐Instream ☐Wetlands ☐Public Parks ☐Game Preserves
☐Hydroelectric ☐Flood Control ☐Navigation ☐Water Quality ☐Other

Complete the Diverted column below if you answered 'Yes' to question 2. Complete the Used column below if you answered 'Yes' to question 3.

Month	Diverted (acre-feet)	Used (acre-feet)
Jan	0	
Feb	0	
Mar	0	
Apr	0	
May	0	
Jun	0	
Jul	0	
Aug	0	
Sept	0	
Oct	0	
Nov	0	
Dec	0	
Total:	0	
Maximum Diversion Rate (Specify ☐CFS or ☐GPM)		

Comments: _____

A water right holder who fails to file a completed form by the due date is liable for a penalty for each day past the due date in an amount not to exceed: (1) $100 per day for a water right authorization of 5,000 acre-feet or less per year; or (2) $500 per day for a water right authorizing more than 5,000 acre-feet per year.

Signature: Paul Reyes Date: 1-21-26

Contact Name: Paul Reyes [redacted]
Print Name

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:
Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

If you have a change in name, address or ownership, please indicate the changes on this form.

To submit your Water Use Report (WUR) data electronically, go to the web page below:
https://www.tceq.texas.gov/goto/sunss/

The Form Identification Code printed below will be needed to submit electronically.
This code is specific to this WUR form.
Form Identification Code: [submission code removed]

Submit electronically at https://www.tceq.texas.gov/goto/sunss/ or mail completed form by March 01, 2026 to:
Texas Commission on Environmental Quality ★ Water Rights Permitting MC 160 ★ PO Box 13087 ★ Austin TX 78711-3087

CAUSE NO. 44437

KYLE DOUGLAS MORING v. CITY OF MOUNT PLEASANT, TEXAS

PLAINTIFF'S PROPOSED EXHIBIT 9 (PR-I)

DSHS–CITY WALMART INSPECTION NO. 308620 RECORD FAMILY

Limited purpose. Offered to identify the August 20, 2025 native DSHS message to John Ankrum by exact Message-ID, subject, recipient, and attachment names; the attached NIO; and the September 17 DSHS reply to Ramirez, Webster, and Ankrum concerning the same Walmart inspection. The July 15 DSHS referral was produced by the City on August 4 and is not included as a live item.

Source-file verification.

Native August 20 DSHS MSG SHA-256:
`d1178a1a0c375ca29a319f0a8e801357f6df01ae23f6be4d33f96dbc6441575f`

September 17 DSHS reply PDF SHA-256:
`97db668f730b7c477f61beb50bcc941821da58165524df483ec04f163b6645e2`

Page map

Exhibit pages	Source	Use
PR-I-2	Header/body rendering from native MSG	Exact Message-ID, participants, subject, attachment names
PR-I-3–4	Native MSG attachment: WalMart Supercenter 131 NIO.pdf	Attached inspection record
PR-I-5	September 17 DSHS reply	Same Walmart 8-20 inspection family and City recipients

Authentication and limits. The accompanying declaration identifies the public-agency source and the comparison performed. The source pages are appended without textual alteration. These materials are not offered to prove deletion, motive, or that a recipient opened or read a message.

NATIVE MSG HEADER-AND-BODY RENDERING

Date: 2025-08-20 09:55:45.486856-05:00

From: Anguiano,Mari (DSHS)

To: jankrum@mpcity.org

Cc: (none)

Subject: TXDSHS Inspection #308620-WAL MART SUPERCENTER 131

Message-ID:

<SN6PR05MB4127159D6C775BE831FC2D25DE33A@SN6PR05MB4127.namprd05.prod.outlook.com>

Attachment names preserved in the native container:

image001.png — 28,061 bytes
1ca40d3ae4dd60543da178e1bf0d0ecea3a34bb06db6cb81cb6d65e1a3681733

WalMart Supercenter 131 NIO.pdf — 69,258 bytes
853b44bdae40a84a3f68f66b72ed93b652eb6671e51c073b1b83b8db005eb133

Message body:

Good morning,

A Department of State Health Services inspector recently inspected Wal-Mat Supercenter 131, 2311 S Jefferson, in Mount Pleasant, Texas. There were some issues noted during the state inspection, so we wanted to bring those to your attention, as it appears that your department also regulates this firm. I've attached our Notice of Observational Inspections (NIO) to this e-mail, for your review and future reference during your own inspections. We appreciate your attention to this matter and look forward to any updates on actions taken if appropriate.

Respectfully,

Mari.

Mariabel Anguiano, R. S.

Compliance Officer

Manufactured Food Operations

Food & Drug Section

Consumer Protection Division

Cell Phone: [redacted]

Email:

Mari.Anguiano@dshs.texas.gov

www.dshs.texas.gov/foods

Rendering note. This page is a computer-generated rendering of selected fields from the retained native MSG. The source MSG—not this rendering—is the metadata-bearing container.

TEXAS DEPARTMENT OF STATE HEALTH SERVICES
Consumer Protection Division
PO Box 149347, Austin, TX 78714
(512) 834-6660

Name	WALMART STORES TEXAS LLC WAL MART SUPERCENTER 131	License Type	Food Manufacturer
Address	2311 S JEFFERSON MOUNT PLEASANT TX 75455	License Number	0036543
Inspection Type	Complaint/Incident	Inspection Number	308620
Inspector	BRADLEY, JONATHAN	Inspection Date	07/28/2025

NOTICE OF INSPECTIONAL OBSERVATIONS

This notice is to acknowledge that the Texas Department of State Health Services (DSHS) conducted an inspection of your business on the date listed above. The information that has been gathered is subject to further department review and you may receive additional correspondence as a result.

Your attention is directed to the conditions observed and noted below. These conditions are not intended to be an all-inclusive list of deficiencies at your firm. It is your responsibility to comply with all applicable state laws and regulations, including requirements associated with the labeling and advertising of products and services offered by your firm.

Observation	**Description/Notes**
1	Storage of personal items Notes: Failure of personnel to store clothing in an area where food is not exposed equipment or utensils are not washed. Specifically, an employee jacket stored by packaged meat in the meat market cooler.
2	Buildings/good repair Notes: Failure to maintain building in repair sufficient to prevent food from becoming adulterated. Specifically, the roof is being replaced at this firm and dirt and insulation was found on canned Great Value Hamburger Dill chips, Boxed Modelo beer, Boxed Miller Light beer, Boxed Millie Moon luxury diapers, 1 gallon distilled water jugs, pet toys and pet products.
3	Pest exclusion - food storage or food preparation areas Notes: Failure to exclude pests from food storage and food preparation areas. Specifically, A) One fly was observed in Deli Department. B) Two Flies were observed in Bakery. C) Two Flies were observed in food storage areas.

TEXAS DEPARTMENT OF STATE HEALTH SERVICES
Consumer Protection Division
PO Box 149347, Austin, TX 78714
(512) 834-6660

4	Water - Suitable temp. and pressure Notes: Failure to provide running water at a suitable temperature for hand washing. Specifically, A) Handwashing station in the Meat Market area did not temp above 85F using state issued thermometer for 3 min. Work order #320959209 placed during time of inspection. B) Handwashing station in the Produce backroom area did not temp above 91F using state issued thermometer for 3 min. Work order #320959983 placed during time of inspection. C) Handwashing station in the Bakery area did not temp above 87F using state issued thermometer for 3 min. Work order #320964052 placed during time of inspection.
5	Lack of thermometer Notes: Failure to provide an indicating thermometer, temperature measuring device, or temperature recording device in each freezer and cold storage compartment used to store food capable of supporting the growth of microorganisms. Specifically, A) Deli Display Cooler missing an indicating thermometer. B) Produce Walk In Cooler missing indicating thermometer.
6	Testing Notes: Failure to perform chemical testing where necessary to identify sanitation failures. Specifically, A) Quaternary ammonium tests strips in Deli area was damaged and not useable to perform chemical testing. B) Quaternary ammonium test strips missing in meat market room. C) Quaternary ammonium test strips missing in produce backroom. D) The bakery 3-compartment quaternary ammonium sanitizer tested above 500ppm using QT-40 test strips.

Inspector:

BRADLEY, JONATHAN

Jonathan Bradley

Date: 07/28/2025

Firm Representative:

pake montgomery

Date: 07/28/2025

From: Anguiano,Mari (DSHS)
Sent: Wednesday, September 17, 2025 9:54 AM
To: 'Juan Ramirez' <JRamirez@mpcity.org>
Cc: Candias Webster <cwebster@mpcity.org>; John Ankrum <jankrum@mpcity.org>
Subject: RE: Walmart 8-20 Inspection

Good morning, Juan.

Thank you for forwarding the inspection findings for the firm Wal Mart Supercenter 131 located in Mount Pleasant, TX. They will be attached to the firm's file as reference for future state inspections. We appreciate your cooperation in monitoring and protecting public health standards and ensuring compliance.

Respectfully,

Mari.

Mariabel Anguiano, R. S.
Compliance Officer
Manufactured Food Operations
Food & Drug Section
Consumer Protection Division
Cell Phone: [redacted]
Email: Mari.Anguiano@dshs.texas.gov
www.dshs.texas.gov/foods

TEXAS Health and Human Services | Texas Department of State Health Services

CAUSE NO. 44437

KYLE DOUGLAS MORING v. CITY OF MOUNT PLEASANT, TEXAS

PLAINTIFF'S PROPOSED EXHIBIT 10 (PR-J)

WEBSTER NOVEMBER 26 NATIVE EML AND CITY FINANCE INVOICE-SET CONTROL

Limited purpose. Offered first to identify an exact City-authored Moring-responsive email by native Message-ID that was not located among the neighboring produced family; and second, on the expressly limited Count VII point, to show that the City's Finance Director contemporaneously identified 40-60 invoices per vendor in a broader Bryan/DTRG request. The Finance message is not offered to prove that every referenced invoice concerns Kyle Moring or Walmart.

Source-file verification.

```
Native Webster November 26 EML SHA-256:
6c83a16acec96f3f795cea79eb8fdbca5032f362ad0e3325c171fc3afd6ac138

City-produced Gatewood November 13 MSG SHA-256:
ed66a2dbc0e41710b470ab0b69f3108cd8069ee78fadbd4ebbe0d8d9871655d9
```

Exhibit page	Source	Limited use
PR-J-2	Native EML control rendering	Exact sender, recipient, date, subject, Message-ID, and top-level body
PR-J-3	City-produced Finance MSG control	Invoice-set statement with express Count VII scope limitation

Authentication and limits. The accompanying declaration identifies the source and comparison performed. The recipient-copy EML is not offered to prove that Mr. Beck received that particular copy. The Finance message does not establish that every invoice is responsive to Count VII.

NATIVE EML CONTROL RENDERING

Date: Wed, 26 Nov 2025 15:13:31 +0000

From: Candias Webster <cwebster@mpcity.org>

To: Kyle Moring <[redacted]>

Cc: (none)

Subject: RE: TPIA Request - 2025 payments and supporting records for Shawn Ray Bryan; Davidson Troilo Ream & Garza

Message-ID: <CYYPR16MB553494FAD0890AB9F01FA38FB7DEA@CYYPR16MB5534.namprd16.prod.outlook.com>

In-Reply-To: <375E2051-9448-4CF2-BB50-93F9B057CA7F@icloud.com>

References: <2D1E0EB0-8C75-4D44-8948-09A054AC5B7A@icloud.com>
<CYYPR16MB55340401C6A52045353AA16AB7D1A@CYYPR16MB5534.namprd16.prod.outlook.com>
<375E2051-9448-4CF2-BB50-93F9B057CA7F@icloud.com>

Top-level message body:

Austin,

Will you please respond to him?

Thank you,
Candias Webster, TRMC, CMC
Assistant City Manager/ City Secretary
City of Mt. Pleasant
Office: 903-575-4000
Cell: [redacted]
Fax: 903-577-1828

Completeness note. The native EML also contains the quoted November 25 follow-up, November 25 cost-estimate transmittal, and November 12 request. Those neighboring messages are not reproduced because the present missing-record proposition concerns this exact top-level Message-ID. The complete native EML is retained and available for inspection.

Header limit. Although the body addresses ‘Austin,’ the To field identifies Kyle Moring and the Cc field is empty. This rendering is not offered to prove that Austin Beck received this particular message.

CITY-PRODUCED FINANCE MSG CONTROL RENDERING

Date: November 13, 2025, 8:52:33 a.m. CST

From: Gillian Gatewood <ggatewood@mpcity.org>

To: Candias Webster <cwebster@mpcity.org>

Cc: Sadie Osornio <sosornio@mpcity.org>

Subject: RE: TPIA Request - 2025 payments and supporting records for Shawn Ray Bryan; Davidson Troilo Ream & Garza

Message-ID: <BLAPR16MB3651941CA718A5FA8E954BAAD7CDA@BLAPR16MB3651.namprd16.prod.outlook.com>

Top-level message body:

This will likely take 3-4 hours per vendor. 6-8 hours total. There are 40-60 invoices in this time range for each vendor plus all the extra information requested.

Thanks,
Gillian Gatewood
City of Mount Pleasant
Finance Director

Scope limit. This message responded to the broader November 2025 Bryan/DTRG accounts-payable request. It is offered to corroborate the existence of maintained invoice sets, not to claim that every referenced invoice is responsive to Count VII's narrower Kyle Moring/Walmart subject limitation.

Rendering note. This is a selected header-and-top-body rendering of the native MSG produced by the City. The complete native MSG is retained and available for inspection.

CAUSE NO. 44437
KYLE DOUGLAS MORING v. CITY OF MOUNT PLEASANT, TEXAS

PLAINTIFF'S PROPOSED EXHIBIT 11 (PR-K)
TITUS CAD NATIVE CONTROLS FOR COUNT VI

Limited purpose. Offered to identify exact City-authored Walmart-responsive parent messages and the later September 2 CAR25958 correction/history family, and to show a genuine Count VI fact issue. It is not offered as a separate claim against Titus CAD or as proof of motive, deletion, or a particular search implementation.

Scope limits. Monthly reports and underlying NCB34830/CAR25958 permit pages previously supplied are not demanded again. PR-K is mapped only to Count VI.

Source-file verification.

March 11 original EML:
ca0d88bd7aaa10a6c19d6d0dfe04712f70b31e1084bdd758740c3d84ec09216e

September 2 1:48 native MSG:
a4827ce9b8b5aac4889b7e05016c3d148430b11034050e758980dae96ab6cebb

September 2 2:28 native MSG:
e7b050a84887d8114e363fb77686b7d3da77262a9e59fc9158edb9bb0153b0c1

Page map. PR-K-2 March 11 parent; PR-K-3 December report control; PR-K-4–5 September 2 1:48 parent and attachment; PR-K-6–8 September 2 2:28 parent and permit history.

MARCH 11, 2025 CITY-TO-TITUS CAD NATIVE PARENT

Date: Tue, 11 Mar 2025 14:59:09 +0000

From: John Ankrum <jankrum@mpcity.org>

To: Shirley Dickerson <shirley.dickerson@titus-cad.org>, Candias Webster <cwebster@mpcity.org>, Lynn Barrett <LBarrett@mpcity.org>, Regina Reynolds <rreynolds@mpcity.org>

Cc: (none)

Subject: RE: PERMITS AND FIRE REPORTS

Message-ID:
<DS0PR16MB529625DFE4E03C83CF94D661D0D12@DS0PR16MB5296.namprd16.prod.outlook.com>

In-Reply-To:
<9f6ab27cc9d44bf6b2f28e922a0204dc@titus-cad.org>

References:
<fe45079d60094f80b12a33029ff6808c@titus-cad.org>
<PH0PR16MB5111BCADB6DDF25E47B40B23B7D12@PH0PR16MB5111.namprd16.prod.outlook.com>
<DS0PR16MB52961AF21A685AFF324B024ED0D12@DS0PR16MB5296.namprd16.prod.outlook.com>
<9f6ab27cc9d44bf6b2f28e922a0204dc@titus-cad.org>

Attachments/source relationship:

February 2025.pdf
4b82a24a71246c087e0b13098fc34eda3a5c21c6ce24d4bc46824a88be6fcc31

January 2025.pdf
17d59b125bfa3359db2fd6829db71f830515ef1252baeacfc0c65354ce7cda81

December 2024.pdf
38a1c570d4d4bb8b6ec3c8d4437921cf40e4b57a132b870124a3bd1660b60b4c

Selected message text:

Here you go.

The retained source parent contains the quoted City/CAD thread and three monthly-report attachments.

Rendering note. This page displays selected fields from the retained source container. The source file remains the metadata-bearing record.

Fence	FENCE3486	[name/address withheld]		12/19/2024	$50.00	**$0.00**
	FENCE3488	[name/address withheld]		12/31/2024	$50.00	**$0.00**
	FENCE3488	[name/address withheld]		12/31/2024	$50.00	**$0.00**
Total	**4**				**$225.00**	**$0.00**
Miscellaneous	MISC34844	[name/address withheld]		12/5/2024	$50.00	**$0.00**
	MISC34880	[name/address withheld]		12/30/2024	$50.00	**$0.00**
Total	**2**				**$100.00**	**$0.00**
New Commercial	NCB34830	Walmart	2311 S Jefferson Ave		$0.00	**$1,963.00**
Total	**1**				**$0.00**	**$1,963.00**
New Residential Homes	NHP34850	[name/address withheld]		12/9/2024	$2,506.00	**$0.00**
Total	**1**				**$2,506.00**	**$0.00**
Plumbing Permit	PLM34828	[name/address withheld]			$0.00	**$3,000.00**
				12/3/2024	$94.75	**$3,000.00**
	PLM34835	[name/address withheld]			$0.00	**$0.00**

SEPTEMBER 2, 2025 1:48 P.M. CITY REPLY

Date: 2025-09-02 13:48:26 -05:00

From: John Ankrum <jankrum@mpcity.org>

To: Shirley Dickerson <shirley.dickerson@titus-cad.org>

Cc: Regina Reynolds <rreynolds@mpcity.org>

Subject: RE: Application.pdf

Message-ID:
<DS0PR16MB529645731FC7F9A7E5234FCDD006A@DS0PR16MB5296.namprd16.prod.outlook.com>

Native MSG SHA-256:
a4827ce9b8b5aac4889b7e05016c3d148430b11034050e758980dae96ab6cebb

Attachments/source relationship:

20250902140314558.pdf
Retained source attachment; reproduced at PR-K-5.

Selected message text:

Shirley, it’s the $1,023,210. I have updated the permit I also attached a copy of our monthly report from April 2023, which reflects the same valuation (see attached). When they imported the data from our old system to our new one some things got jumbled. I also attached a copy of the permit with the correct valuation.

Quoted incoming question: ‘I have the permit CAR25958 ... [and] the application ... Wal-Mart ... $1,023,210.’

Rendering note. This page displays selected fields from the retained native MSG. The source file remains the metadata-bearing record.

PERMITS ISSUED
MONTHLY REPORT
APRIL 2023-2024

Type	Permit #	Name	Address	Fees Due	Date Paid	Valuation
New Res.	24-0204	[redacted]		$1,183.00	04/08/24	
	24-0205			$1,051.50	04/04/24	
Total	2			**$2,234.50**		
		[redacted]				
Residential	24-0140			$403.80	04/08/24	
Add-on Remodel	24-0198			$131.10	04/02/24	
	24-0201			$178.50	04/03/24	
	24-0246			$550.20	04/24/24	
	24-0247			$75.00	04/25/24	
Total	5			**$1,338.60**		
		[withheld]				
New Comm.	24-0224	Cristan Metal Buildings	307 W Ferguson	$756.75	04/16/224	$ 64,500.00
Total	1			**$756.75**		**$ 64,500.00**
		[withheld]				
Commercial	24-0156	Joe B Jones Construction	2311 S Jefferson	$5,704.97	04/24/24	$ 1,023,210.00
Add-on Remodel	24-0180	[withheld]		$0.00		$ -
	24-0225	[withheld]		$655.25	04/17/24	$ 50,000.00
Total	3	[redacted]		**$6,360.22**		**$ 1,073,210.00**
		[redacted]				
Accessory	24-0203			$50.00	04/04/24	
Building	24-0221			$50.00	04/12/24	
	24-0252			$50.00	04/26/24	
Total	3			**$150.00**		
		[redacted]				
Sign	24-0208			$35.00	04/04/24	
	24-0214			$35.00	04/08/24	
	24-0238			$35.00	04/19/24	
Total	3			**$105.00**		
		[redacted]				
Electrical	24-0193			$75.00	billed 04/01/24	
	24-0197			$75.00	04/02/24	
	24-0217			$75.00	billed 04/10/24	
	24-0220			$75.00	04/11/24	
	24-0240			$75.00	04/22/24	
	24-0242			$75.00	04/23/24	
	24-0243			$0.00		
	24-0248			$206.75	04/30/24	$ 11,000.00
	24-0261			$50.00	04/30/24	$ 300.00
Total	9			**$706.75**		**$ 11,300.00**
		[redacted]				
Plumbing	24-0211			$75.00	billed 04/05/24	
	24-0230			$75.00	billed 04/17/24	
	24-0251			$75.00	billed 04/25/24	
	24-0253			$75.00	04/29/24	
Total	4			**$300.00**		
Demo						

SEPTEMBER 2, 2025 2:28 P.M. CITY REPLY

Date: 2025-09-02 14:28:53 -05:00

From: John Ankrum <jankrum@mpcity.org>

To: Shirley Dickerson <shirley.dickerson@titus-cad.org>

Cc: (none)

Subject: RE: Application.pdf

Message-ID:
<DS0PR16MB529645B84FC44F163B8BEAB9D006A@DS0PR16MB5296.namprd16.prod.outlook.com>

Native MSG SHA-256:
e7b050a84887d8114e363fb77686b7d3da77262a9e59fc9158edb9bb0153b0c1

Attachments/source relationship:

20250902150106973.pdf
Retained source attachment; reproduced at PR-K-7–8.

Selected message text:

Shirley, the last email I sent you showed the correct valuation on the permit. I have also attached a copy of the permit history, and I highlighted where HSGov changed the permit number, not sure why they did that. Put it references the old permit number as well.

The quoted chain retains the Wal-Mart/CAR25958 valuation question and the City's 1:48 response.

Rendering note. This page displays selected fields from the retained native MSG. The source file remains the metadata-bearing record.

Building Permit Manager Record History

printed on 09/02/2025 01:54 PM by John Ankrum

Address
2311 S Jefferson Ave Mount Pleasant TX 75455-6011

Building Permit Number
CAR25958

Status
Active

Permit Issue Date
04/24/2024

Expiration Date

Permit Type
Commercial

Project Type
Commercial Add On or Remodel

Plan Review Status

Approved By

Application Date

Owner

Owner Address

Owner Phone

Invoice Number

Invoice Balance
$0.00

Total
$0.00

Business/Tenant Name
Walmart

Subcontractor2

Subcontractor 3

Contractor
Billy Shipley

Contractor Address
1756 Ranger Hwy Weatherford TX 76088-9102

SubContractor1

Contractor Phone
(817) 596-9600

Contractor Email
barmstrong@jrjinc.com

09/02/2025 01:47 PM CDT - John Ankrum
Records are not available to compare
Comment: Successful generation.
09/02/2025 01:28 PM CDT - John Ankrum
No changes detected
Comment: Automatic TextBuild update from Building_Permit_Manager form field Building Permit Number
09/02/2025 01:28 PM CDT - John Ankrum
Permit Description:[blank]Walmart curbside add and remodel
Tenant/Business Name:[blank]Walmart
Building Code:ICC ICC
Valuation ($):19633400.01023210.0
Status: ArchivedActive
Comment: [User comments not enabled]
08/13/2025 01:00 PM CDT - Regina Reynolds
Records are not available to compare
Comment: Successful generation.
06/26/2025 04:26 PM CDT - HS GovTech REST API
Records are not available to compare
Comment: Successful generation.
06/26/2025 04:26 PM CDT - HS GovTech REST API
Records are not available to compare
Comment: Successful generation.
06/26/2025 04:24 PM CDT - HS GovTech REST API
Records are not available to compare
Comment: Successful generation.
06/25/2025 11:01 AM CDT - Regina Reynolds
Records are not available to compare
Comment: Successful generation.
12/09/2024 02:32 PM CST - Zach Ringlein
Building Permit Number:TX-CAR-240314-00156 CAR25958
Comment: Automatic TextBuild update from Building_Permit_Manager form field Building Permit Number

FOR SOME REASON HSGOV CHANGED THE PERMIT # YOU CAN SEE IT REFLECTS THE ORIGINAL PERMIT #

12/09/2024 02:32 PM CST - Zach Ringlein
Total Payment Amount:5704.000.00
Comment: Calculation Update
12/09/2024 02:32 PM CST - Zach Ringlein
Permit Type: Commercial Add-On or RemodelCommercial
Comment: Updates processed by Mass Update interface
11/29/2024 10:58 AM CST - Eric King
Original record not available to compare
Comment: Created by initial MP data import

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 119289650
Filing Code Description: Answer/Response
Filing Description: Petitioner's Response to Respondent's Plea to the Jurisdiction with Declaration, Count Schedule, and Appendices PR-A???PR-K
Status as of 9/2/2026 10:04 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Austin R. Beck		abeck@dtrglaw.com	8/30/2026 6:03:15 PM	SENT
Lea A. Ream	16636750	lream@dtrglaw.com	8/30/2026 6:03:15 PM	SENT
Marla Dial		mdial@dtrglaw.com	8/30/2026 6:03:15 PM	SENT