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Carin Carroll
District Clerk
Titus County, Texas
Debbie Swindler

CAUSE NO. 44437

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

CITY OF MOUNT PLEASANT'S FIRST AMENDED ANSWER TO PETITIONER's FIRST AMENDED PETITION FOR WRIT OF MANDAMUS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Respondent, **CITY OF MOUNT PLEASANT, TEXAS** (hereinafter referred to as "the City" and/or "Respondent"), and files its First Amended Answer to Petitioner's First Amended Petition for Writ of Mandamus, and in support thereof would show the following:

I.
PLEA TO THE JURISDICTION

1. Respondent is a municipality duly formed under the laws of the State of Texas, and as a political subdivision of the State, Respondent enjoys governmental immunity, including immunity from suit and immunity from liability, unless the Texas Legislature has clearly and unambiguously waived such immunity by statute and the Petitioner properly alleges a valid waiver in its pleadings.

2. Petitioner fails to plead a waiver of immunity, statutory or otherwise, which allows Petitioner to bring this suit against Respondent for the mandamus relief he seeks under the Texas Public Information Act. This constitutes a fatal flaw in Petitioner's pleadings.

3. Respondent affirmatively alleges that its immunity has not been waived for any of the claims that Petitioner has raised in his First Amended Petition for Writ of Mandamus, which deprives this Court of jurisdiction over the City.

II.
GENERAL DENIAL

Pursuant to Tex. R. Civ. P. 92, Respondent generally denies all allegations contained in Petitioner's First Amended Petition for Writ of Mandamus, as well as any subsequent pleading that Petitioner may file by way of amendment or supplement, and Respondent demands strict proof thereof.

III.
RIGHT TO AMEND

Respondent reserves the right to amend this Answer at a later date.

III.
PRAYER

WHEREFORE, Respondent, **CITY OF MOUNT PLEASANT, TEXAS**, prays that this suit be dismissed for want of jurisdiction, that Petitioner take nothing by reason of this suit and Respondent be awarded costs, attorneys' fees and such other and further relief to which it may be justly entitled.

Respectfully submitted,

DAVIDSON TROILO REAM & GARZA, P.C.
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By: ***/s/ Lea A. Ream***
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Austin R. Beck
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ATTORNEYS FOR RESPONDENT,
CITY OF MOUNT PLEASANT, TEXAS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Respondent's First Amended Answer was served upon the person(s) listed below in the manner(s) listed below on this the 28th day of August, 2026.

Kyle Douglas Moring *Via E-file Notification*
[redacted]

PETITIONER, pro se

[s] Lea A. Ream
Lea A. Ream

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