

NO. CVOC-20-0000100

MELISSA CHECKOVAGE,	§	IN THE DISTRICT COURT
JANA HERRERA and	§	
NELIA MCNEAL	§	
	§	
Plaintiffs,	§	
	§	
VS.	§	198 th JUDICIAL DISTRICT
	§	
BANDERA CENTRAL	§	
APPRAISAL DISTRICT	§	
	§	
Defendant.	§	
_____	§	BANDERA COUNTY, TEXAS

**DEFENDANT BANDERA CENTRAL APPRAISAL DISTRICT'S
ORIGINAL ANSWER**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES **BANDERA CENTRAL APPRAISAL DISTRICT**, Defendant in the above styled and numbered cause, and reserving the right to file other and further pleadings, exceptions and denials, files this her Original Answer to Plaintiffs' Original Petition heretofore filed and for such answer would respectfully show unto the Court the following:

I.

Defendant **BANDERA CENTRAL APPRAISAL DISTRICT** denies each and every allegation of Plaintiffs' Original Petition and demands strict proof thereof by a preponderance of the credible evidence.

II.

Defendant **BANDERA CENTRAL APPRAISAL DISTRICT** asserts governmental immunity under the TEXAS TORT CLAIMS ACT, Chapter 101, §101.021 *et. seq.*, as a matter of law.

III.

Defendant **BANDERA CENTRAL APPRAISAL DISTRICT** denies that Plaintiffs' have meet the prerequisites to filing suit, as a matter of law. Defendant asserts its defenses under the TEXAS GOVERNMENT CODE, Chapter 554, §554.005, as a matter of law.

IV.

Defendant **BANDERA CENTRAL APPRAISAL DISTRICT** asserts its defenses under the TEXAS GOVERNMENT CODE, Chapter 554, §554.033(c) and §554,994(b), as a matter of law.

V.

Defendant **BANDERA CENTRAL APPRAISAL DISTRICT** asserts its defenses under the TEXAS GOVERNMENT CODE, Chapter 554, §554.002, as a matter of law. Plaintiffs did not in good faith believe that the conduct reported was a violation of law and/or said belief was not reasonable in light of Plaintiffs' training and experience. Plaintiffs failed in good faith to report to a "appropriate law enforcement authority" under §554.002(a) and (b), as a matter of law.

IV.

Defendant **BANDERA CENTRAL APPRAISAL DISTRICT** herein demands a jury trial.

WHEREFORE, PREMISES CONSIDERED, Defendant **BANDERA CENTRAL APPRAISAL DISTRICT** prays that the Plaintiffs take nothing by their lawsuit against it, that the Defendant be awarded its costs expended, including reasonable attorney's fees and for such other and further relief, as it may show itself entitled.

Respectfully submitted,

LAW OFFICES OF CHARLES S. FRIGERIO
A Professional Corporation
Riverview Towers
111 Soledad, Suite 840
San Antonio, Texas 78205
(210) 271-7877
(210) 271-0602
Email: csfrigeriolaw@sbcglobal.net
frigeriolaw1995@sbcglobal.net

BY: //s// Charles S. Frigerio

CHARLES S. FRIGERIO
SBN 07477500

HECTOR X. SAENZ
SBN 17514850

**ATTORNEYS FOR DEFENDANT
BANDERA CENTRAL APPRAISAL DISTRICT**

CERTIFICATE OF SERVICE

I hereby certify that on this the 29th day of April, 2020, a true and correct copy of the above and foregoing Defendant **BANDERA CENTRAL APPRAISAL DISTRICT**'s Original Answer has been electronically filed via eFile.TXCourts.gov and forwarded electronically to:

Mr. Stephan B. Rogers
Mr. Ross S. Elliott
Rogers & Moore, PLLC
309 Water Street, Suite 201
Boerne, TX 78006
Email: steve@rogersmoorelaw.com
ross@rogersmoorelaw.com

Mr. Brian Moffatt
Moffatt Law Group
309 Water Street, Suite 201
Boerne, TX 78006
Email: btmoffatt@moffattlawgroup.com
ATTORNEYS FOR PLAINTIFFS

//s// Charles S. Frigerio
CHARLES S. FRIGERIO