

FILED

CAUSE NO. CC-10-07369-A

2010 NOV -3 PM 12: 00

HEATHER DOBROTT,

Plaintiff

v.

Timothy Spencer Darnell,

Defendant

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JOHN F. WARREN  
COUNTY CLERK  
DALLAS COUNTY  
COUNTY COURT AT LAW NO. 1  
DALLAS COUNTY, TEXAS

**DEFENDANT'S RESPONSE TO ORIGINAL PETITION**

Defendant, Timothy Spencer Darnell (Darnell) responds to Plaintiff's petition:

**I. MOTION TO TRANSFER VENUE AND OBJECTION TO JURISDICTION**

Venue for this Cause should be moved to Collin County according to The Civil Practice and Remedies Code to Collin County section 15.002(2) *in the county of defendant's residence at the time the cause of action accrued if defendant is a natural person*. Darnell resides in Collin County, Texas. The issues raised by the petition and the same parties, are currently before the 296<sup>th</sup> Judicial District Court in Collin County, Texas, in Cause No. 296-04376-07, which has jurisdiction.

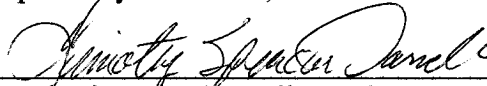
**II. RES JUDICATA**

The primary complaint within Dobrott's petition that Darnell purchased and published a website, "HeatherDobrott.com" is currently at issue in Plaintiff, Dobrott's pending lawsuit against Darnell, Cause No. 296-04376-07 (Collin County) where Plaintiff, Dobrott made exactly the same assertion. The case involves these same parties and allegations. Ms. Dobrott has given notice of appeal in that case, which is pending.

**III. GENERAL DENIAL**

Defendant generally denies each and all of the allegations of the petition and demands strict proof thereof.

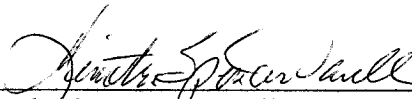
Respectfully submitted,



Timothy Spencer Darnell, Pro Se  
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Allen, TX 75002  
972-727-4995 (cell)  
214-242-2423 (fax)

**CERTIFICATE OF SERVICE**

On November 3, 2010, a copy of this response was served on plaintiff, Heather Dobrott via certified mail, return receipt requested. 70101876000324545441



Timothy Spencer Darnell