

waiver. *Tex. Dep't of Transp. v. Sefzik*, 355 S.W.3d 618, 621–22 & n.3 (Tex. 2011); *see also, e.g., Texas Logos, L.P. v. Texas Dep't of Transp.*, 241 S.W.3d 105, 114 (Tex. App.—Austin 2007, no pet.). Plaintiff's Petition fails to allege adequate grounds to establish a waiver of such sovereign immunity.

II. PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendant prays that upon final hearing hereof that the Court enter judgment, that Plaintiffs take nothing by reason of such suit, and that all costs of court be taxed and adjudged against Plaintiffs. Defendant further prays for such other and further relief, both general and special, at law and in equity, to which it may be justly entitled.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I do hereby certify compliance with Tex. R. Civ. P. 21 and 21a. A true and correct copy of the foregoing instrument has been served on all counsel, by electronic transmission to the electronic mail address on file with the electronic filing manager. *See* Tex. R. Civ. P. 21a(a)(1). If a party has not designated an electronic mail address with the electronic filing manager, the party was served a true and correct copy of the foregoing instrument in person, by certified/regular mail, by commercial delivery service by fax or by email, or by such other manner as the Court in its discretion may direct. *See* Tex. R. Civ. P. 21a(a)(2).

On **October 22, 2021**, service was made on the attorney of record listed below:

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