

**ATTENTION SERVICE MEMBERS: ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

FILED FOR RECORD  
IN MY OFFICE  
AT 12:50 CLOCK P M

JUN 10 2024

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

BOBBIE DAVIS  
COUNTY CLERK, PANOLA COUNTY, TEXAS  
BY *P. Woodard* DEPUTY

WHEREAS, JOE M. DAVIS, AN UNMARRIED MAN delivered that one certain Texas Home Equity Security Instrument dated APRIL 20, 2020, which is recorded in INSTRUMENT NO. 224415 of the real property records of PANOLA County, Texas, conveying to the Trustee(s) therein named the real property therein described, to secure the payment of a Promissory Note in the principal amount of \$109,000.00 payable to the order of GATEWAY MORTGAGE GROUP, A DIVISION OF GATEWAY FIRST BANK, to which reference is hereby made for a description of the Promissory Note, the terms and covenants of the Texas Home Equity Security Instrument, and the property therein conveyed; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Texas Home Equity Security Instrument, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, the undersigned has been appointed Substitute Trustee in place of the original Trustee, upon the contingency and the manner authorized by the Texas Home Equity Security Instrument; and

WHEREAS, GATEWAY MORTGAGE, A DIVISION OF GATEWAY FIRST BANK, the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Texas Home Equity Security Instrument in order to satisfy the indebtedness secured thereby.


NOTICE IS HEREBY GIVEN that on JULY 2, 2024, beginning at 10:00 AM, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

The sale will occur at that area designated by the Commissioners Court of PANOLA County, Texas, for such sales (OR AT THE STEPS OF THE COURTHOUSE, SUCH STEPS BEING LOCATED ON THE EAST SIDE OF THE COURTHOUSE).

NOTICE IS FURTHER GIVEN that the address of GATEWAY MORTGAGE, the Mortgagee or Mortgage Servicer, is P.O. BOX 1560, JENKS, OK 74037. Pursuant to the Texas Property Code, the Mortgagee or Mortgage Servicer is authorized to administer a foreclosure sale. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 208, Carrollton, Texas 75007. A Substitute Trustee is authorized by the Texas Property Code to set reasonable conditions for the foreclosure sale. If the sale is set aside, the Purchaser will be entitled only to a return of the purchase price, less any applicable fees and costs, and shall have no other recourse against the mortgagor, the mortgagee, or the substitute trustee.

Dated: JUNE 10, 2024.

  
SUBSTITUTE TRUSTEE(S)  
MICHAEL J. SCHROEDER OR SHERYL LAMONT,  
ROBERT LAMONT, RONNIE HUBBARD, SHARON  
ST. PIERRE, ALLAN JOHNSTON, TERRI WORLEY,  
LISA DELONG, RAMIRO CUEVAS, PATRICK  
ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA  
BRUNO, MERYL OLSEN OR AURORA CAMPOS

FILE NO.: GMG-3084  
PROPERTY: 1402 KYLE AVENUE  
CARTHAGE, TEXAS 75833

NOTICE SENT BY:  
MICHAEL J. SCHROEDER  
3610 NORTH JOSEY LANE, SUITE 208  
CARROLLTON, TEXAS 75007  
Tel: (972) 394-3086  
Fax: (972) 394-1283

JOE M. DAVIS



Posted by Robert LaMont, June 10, 2024.



4818761

ServiceLink

**EXHIBIT "A"**

**All that certain lot, tract or parcel of land situated in the City of Carthage, Panola County, Texas, a apart of the A. Moorman Survey, and being lot 11, Block 96H of the Westwood Addition, section 5 of the City of Carthage, as shown by Plat of said Subdivision recorded in Volume 652, Page 115 of the Deed records of Panola County, Texas and being the same tract of land described in Deed form George A. Coleman and wife Joyce G Coleman to Charlie C Jackson and wife, Annie Arzelle Jackson and filed for record in Volume 775, Page 243 of the Deed records of Panola County, Texas, reference to which is here made for all pertinent purposes, and being the same land described ina deed from Acie Henigan and Janelle Beasley to Alexandria B Davis and wife Ethel M Davis, dated December 19, 1990 and recorded in Volume 872, Page 130, Deed Records of Panola County, Texas, reference to which is here ade for all purposes.**

Davis, Joe M./GMG-3064

Cause No. Cause No. 2024-019

IN RE: ORDER FOR FORECLOSURE	§	IN THE DISTRICT COURT
CONCERNING	§	
1402 KYLE AVENUE	§	123rd JUDICIAL DISTRICT
CARTHAGE, TX 75633	§	
UNDER TEX. R. CIV. PROC. 736	§	PANOLA COUNTY, TEXAS
	§	
PETITIONER:	§	
GATEWAY MORTGAGE,	§	
A DIVISION OF GATEWAY FIRST BANK	§	
RESPONDENT:	§	
JOE M. DAVIS, OCCUPANT	§	

**EXPEDITED ORDER UNDER RULE 736**

1. On this day, the Court considered Petitioner's (Petitioner's") motion for a default order granting its Application for an expedited order under *Rule 736*. Petitioner's Application complies with the requirements of *Tex. R. Civ. Pro 736.1*.

2. The name and last known address of each Respondent subject to this order is:

JOE M. DAVIS	OCCUPANT
1402 KYLE AVENUE	1402 KYLE AVENUE
CARTHAGE, TX 75633	CARTHAGE, TX 75633

Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on filed with the Court for at least ten days.

3. The property that is the subject of this foreclosure proceeding is commonly known as 1402 KYLE AVEENUE, CARTHAGE, TX 75633 with the following legal description:  
SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

4. The lien to be foreclosed is recorded at VOLUME 2077, PAGE 260 in the real property records of PANOLA County, Texas.

5. The material facts establishing Respondents' default are alleged in Petitioner's

Application and the supporting Affidavit. Those facts are adopted by the Court and incorporated by reference in this order.

6. Based on the Affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the *Servicemembers Civil Relief Act, 50 U.S.C. App. §501 et seq.*

7. Therefore, the Court grants Petitioner's motion for a default order under *Tex. R. Civ. Pro. 736.7 and 736.8*. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the home equity lien sought to be foreclose.

8. This order is not subject to a motion for rehearing, a new trial a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with *Tex. R. Civ. Pro 736.11*.

9. A conformed copy of this order must be attached to the trustee or substitute trustee's foreclosure deed.

IT IS SO ORDERED.

Signed: May 21, 2024

  
JUDGE PRESIDING

APPROVED:

MICHAEL J. SCHROEDER, P.C.

/s/ Michael J. Schroeder  
Michael J. Schroeder  
State Bar No. 17817380  
Email: mike@lawmjs.com  
3610 North Josey Lane, Suite 206  
Carrollton, TX 75007  
Telephone: (972) 394-3086  
Facsimile: (972) 394-1263  
ATTORNEYS FOR PETITIONER

**EXHIBIT "A"**

**All that certain lot, tract or parcel of land situated in the City of Carthage, Panola County, Texas, a part of the A. Moorman Survey, and being lot 11, Block 96H of the Westwood Addition, section 5 of the City of Carthage, as shown by Plat of said Subdivision recorded in Volume 652, Page 115 of the Deed records of Panola County, Texas and being the same tract of land described in Deed from George A. Coleman and wife Joyce G Coleman to Charlie C Jackson and wife, Annie Arzelle Jackson and filed for record in Volume 775, Page 243 of the Deed records of Panola County, Texas, reference to which is here made for all pertinent purposes, and being the same land described in a deed from Acie Henigan and Janelle Bensley to Alexandria B Davis and wife Ethel M Davis, dated December 19, 1990 and recorded in Volume 872, Page 130, Deed Records of Panola County, Texas, reference to which is here made for all purposes.**

Davis, Joe M./GMG-3064