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NO. 184,784

<b>PRK ENTERPRISES INC, KLEIN</b>	<b>S</b>	<b>IN THE DISTRICT COURT OF</b>
<b>ENTERPRISES INC, AND PHILLIP KLEIN</b>	<b>S</b>	
Plaintiffs,	S	
v.	S	
	S	<b>JEFFERSON COUNTY, TEXAS</b>
<b>GOOGLE, INC., Blogger.com,</b>	<b>S</b>	
<b><u>WWW.operationkleinwatch.com,</u></b>	<b>S</b>	
<b><u>WWW.samtheeagleusa.blogspot.com,</u></b>	<b>S</b>	
<b>AND MICHAEL NEIL HARRISON</b>	<b>S</b>	
Defendants,	S	<b>172<sup>nd</sup> JUDICIAL DISTRICT</b>

**Michael Neil Harrison's Motion to Quash Service of  
Plaintiffs' Second Amended Petition**

**I.**

1. Harrison files this motion pro se, and, in accordance with the July 14, 2008, order of this Court, is exempt from e-filing requirements.

**II.**

2. Plaintiffs purport to have sued Harrison for violations of the Digital Millennium Copyright Act and defamation by repleading a Rule 202 petition for pre-suit deposition as a lawsuit and naming Harrison as a defendant.

3. This case is not yet set for trial.

**III.**

4. On or about March 23, 2011, the Court signed an order of substituted service pursuant to Tex. R. Civ. P. 106. The order allowed service upon Harrison by service upon "anyone over sixteen (16) years of age *at the location specified* (Defendant's address)." [Emphasis added.] The only "location specified" in plaintiffs' motion was Harrison's home address at 3118 Timber View Drive, Sugar Land, Texas.

5. On March 24, 2011, a process server left a copy of the citation and Plaintiffs' Second Amended Petition with a receptionist at the offices of Clear Channel Communications, 2000 West Loop South, Suite 300, Houston, Texas 77027. This service does not comply with the Court's order of substituted service.

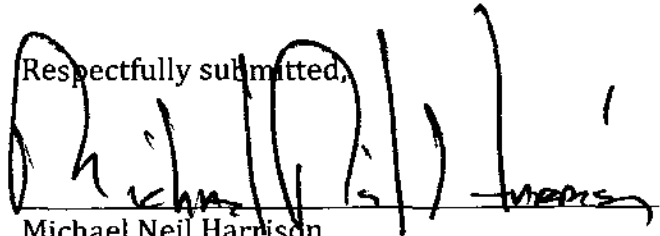
IV.

6. "[W]hen substituted service occurs, it must strictly comply with the order authorizing it." *Taylor v. State*, 293 S.W.3d 913, 915 (Tex. App.—Austin 2009, no pet.). The Court should quash the substituted service of Plaintiffs' Second Amended Petition because service was not "strictly in compliance with the order authorizing it."

V.

7. Because service upon Harrison was fatally defective, the return is invalid, and Harrison asks the Court to quash citation and service of Plaintiffs' petition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Neil Harrison", written over a horizontal line.

Michael Neil Harrison  
3118 Timber View Drive  
Sugar Land, Texas 77479  
**DEFENDANT PRO SE**

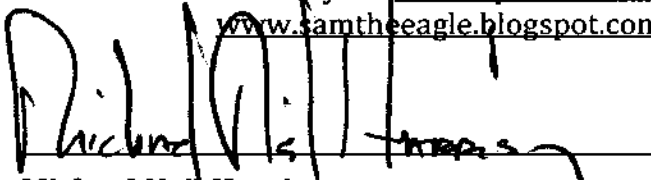
**CERTIFICATE OF SERVICE**

I hereby certify that on \_\_\_\_\_, 2011, a true and correct copy of the foregoing was served to the following:

Dennis M. Lynch  
Figaro & Davenport, LLP  
3400 Bank of America Plaza  
901 Main Street, LB 125  
Dallas, Texas 75202-3796  
Attorney for Google, Inc.

John S. Morgan  
Harris, Deusler & Hatfield, L.L.P.  
550 Fannin, Suite 650  
Beaumont, Texas 77701  
Attorney for Phillip Klein

Jeffery L. Dorrell  
Escamilla, Poneck & Cruz, LLP  
201 Stratford  
Houston, Texas 77006  
Attorney for [www.operationkleinwatch.blogspot.com](http://www.operationkleinwatch.blogspot.com) AND  
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**Michael Neil Harrison**

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<b>AND MICHAEL NEIL HARRISON</b>	<b>S</b>	
Defendants,	<b>S</b>	<b>172<sup>nd</sup> JUDICIAL DISTRICT</b>

**Order Quashing Service**

On \_\_\_\_\_, the Court considered defendant Michael Neil Harrison's Motion Quash Service of Plaintiffs' Petition. After considering the motion, the affidavit, the response, other evidence on file, and arguments of counsel, the Court **GRANTS** the motion and **ORDERS, ADJUDGES, and DECREES** that:

1. The purported service of Plaintiffs' Second Amended Petition upon defendant Michael Neil Harrison is quashed; and

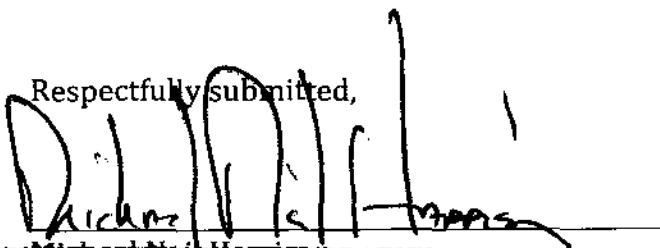
2. Defendant Michael Neil Harrison's appearance before the Court to urge his motion to quash invokes the Court's jurisdiction, and said defendant shall file an answer in this suit on the Monday following the expiration of 20 days from the date this order is signed, pursuant to TEX. R. CIV. P. 122; and

3. All other relief requested by any party relative hereto and not expressly granted herein is expressly **DENIED**.

SIGNED the \_\_\_ day of \_\_\_\_\_, of 2011.

\_\_\_\_\_  
PRESIDING JUDGE

Respectfully submitted,



3118 Timber View Drive  
Sugar Land, Texas 77479  
**DEFENDANT PRO SE**

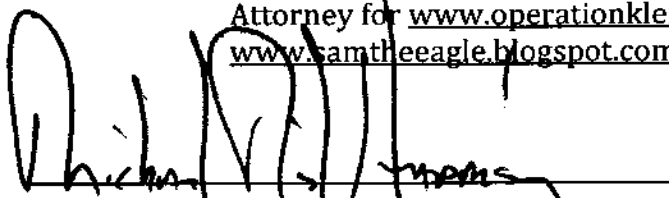
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Attorney for Phillip Klein Attorney

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Houston, Texas 77006  
Attorney for [www.operationkleinwatch.blogspot.com](http://www.operationkleinwatch.blogspot.com) AND  
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Michael Neil Harrison

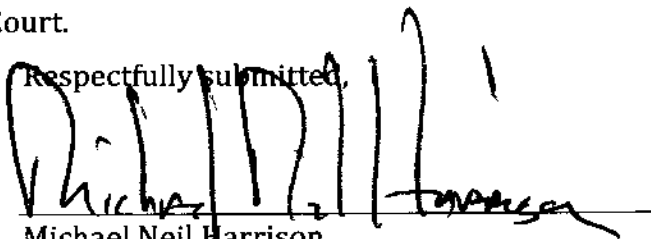
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<b>AND MICHAEL NEIL HARRISON</b>	<b>S</b>	
Defendants,	<b>S</b>	<b>172<sup>nd</sup> JUDICIAL DISTRICT</b>

**Notice of Submission of Defendant Michael Neil Harrison's  
Motion to Quash Service**

Please take notice that defendant Michael Neil Harrison's Motion to Quash Service will be considered by the Court upon written submission at 8:00 AM on Monday, \_\_\_\_ \_\_, 2011. The Court will consider and rule upon the motion without a hearing unless you request one in accordance with the Texas Rules of Civil Procedure and the local rules of the Court.

Respectfully submitted,



Michael Neil Harrison  
3118 Timber View Drive  
Sugar Land, Texas 77479  
**DEFENDANT PRO SE**

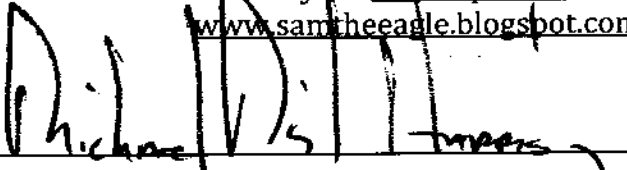
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**Michael Neil Harrison**