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**APPENDIX A: Memorandum Opinion of the
Fourteenth Court of Appeals (Jun. 12, 2025)**

**Affirmed and Memorandum Opinion filed June 12,
2025.**



**In The
Fourteenth Court of Appeals**

NO. 14-24-00519-CV

NACHAIYA KAMA, Appellant

V.

**GREENRIDGE PLACE APARTMENTS D/B/A
GREENRIDGE PLACE,
Appellee**

**On Appeal from the County Civil Court at Law No. 1
Harris County, Texas
Trial Court Cause No. 1228426**

MEMORANDUM OPINION

**Pro se appellant Nachaiya Kama appeals a
forcible detainer judgment in favor of her landlord,**

appellee Greenridge Place Apartments (Landlord). In five issues, Kama challenges the sufficiency of the evidence to support the judgment and argues that her due process rights were violated in Justice Court. For the reasons discussed below, we affirm the judgment of the County Court at Law as challenged on appeal.

I. BACKGROUND

Kama was a resident of Greenridge Place Apartments. On March 28, 2024, Landlord filed a forcible detainer action against Kama for her failure to pay rent for the month of March. The petition states that notice to vacate was posted inside her dwelling on March 4, 2024. On May 8, 2024, the Justice Court held a hearing on Landlord's petition. Because Kama did not appear, the Justice Court rendered a default judgment for Landlord. Kama alleges that she was prevented from entering the Justice Court or misdirected. Kama timely appealed the forcible-detainer action to the County Court at Law.

In the County Court at Law, Kama denied that she failed to pay rent and alleged among other things: (1) improper notice and harassment; (2) Landlord mishandled rent payments; (3) retaliatory eviction; and (4) Fair Housing Act violations. In June 2024, the County Court at Law held a trial on Landlord's petition. There is no reporter's record of the trial. Kama now appeals from the final judgment of the County Court at Law, which awarded Landlord possession, as well as \$3,169.20 in delinquent rent and \$3,112.00 in attorney's fees.

II. ANALYSIS

In issues 1 and 2, Kama challenges the sufficiency of the evidence supporting the trial court's forcible-detainer judgment:

1. Did the trial court err in giving undue weight to the Appellee's testimony, which was inconsistent and lacked credibility?
2. Whether the trial court's ruling in favor of Appellee's false claim and against Appellant's defense in the rule of law(s) is supported by substantial evidence and complies with applicable laws related to Appellants affirmative defenses?

We consider issues 1 and 2 together.

A. Forcible detainer

"An action for forcible detainer is intended to be a speedy, simple, and inexpensive means to obtain immediate possession of property." *Marshall v. Hous. Auth. of City of San Antonio*, 198 S.W.3d 782, 787 (Tex. 2006). Forcible-detainer proceedings are governed by specific rules to ensure they are "speedy, simple and inexpensive." *Id.*; see Tex. R. Civ. P. 510.1-.13.

Under the Property Code, a person who refuses to surrender possession of real property on demand commits a forcible detainer if the person: willfully and without force holds over after termination of the right of possession; or is a tenant at will or by sufferance. See Tex. Prop. Code § 24.002(a). A forcible detainer action is dependent on proof of a landlord-tenant relationship. *Goodman-Delaney v. Grantham*, 484 S.W.3d 171, 174 (Tex. App.—Houston [14th Dist.] 2015, no pet.).

B. Sufficiency challenge

Kama appeals the sufficiency of the evidence to support the County Court at Law's judgment in favor of Landlord. The court reporter has certified that no reporter's record exists of the county court bench trial. An appellant has the burden to bring forward a sufficient record to show the trial court's alleged error. *Nicholson v. Fifth Third Bank*, 226 S.W.3d 581, 583 (Tex. App.—Houston [1st Dist.] 2007, no pet.) (“[An appellant] cannot prevail in any evidentiary challenge without first meeting his burden of presenting a sufficient record on appeal.”). When a party raises an issue on appeal relying on evidence presented to the trial court—as Kama does here in her evidentiary challenge—we must presume the trial court had before it and determined all facts necessary in support of the judgment absent any record of what evidence the trial court considered. See Tex. R. App. P. 37.3(c) (court may decide those issues or points that do not require a reporter's record for a decision); *Bennett v. Cochran*, 96 S.W.3d 227, 229–30 (Tex. 2002) (per curiam) (“The court of appeals was correct in holding that, absent a complete record on appeal, it must presume the omitted items supported the trial court's judgment.”) (quoting *Gallagher v. Fire Ins. Exch.*, 950 S.W.2d 370, 371 (Tex. 1997)); *Sam Houston Hotel, L.P. v. Mockingbird Rest., Inc.*, 191 S.W.3d 720, 721 (Tex. App.—Houston [14th Dist.] 2006, no pet.) (“Because we have no record of what that evidence consisted of, we have no basis to review the trial court's decisions based on that evidence.”).

Presuming the trial court found the necessary facts to establish that Landlord had the superior claim to immediate possession of the property, we conclude the evidence is sufficient to support the trial court's

judgment.¹ See *Bennett*, 96 S.W.3d at 229–30; see also *Gbadmassi v. Ron Ray L.P.*, No. 04-21-00170-CV, 2022 WL 2346630, at *2 (Tex. App.—San Antonio June 30, 2022, no pet.) (mem. op.) (presuming trial court found necessary facts to establish landlord’s right to past-due rent, post-judgment interest, and attorney’s fees in eviction case where tenant raised evidentiary challenge to county court’s judgment and no reporter’s record of county court bench trial existed); *Roberson v. Chevalier*, No. 01-1300307-CV, 2014 WL 3512767, at *2 (Tex. App.—Houston [1st Dist.] July 15, 2014, no pet.) (rejecting defendant’s evidentiary challenges to county court’s judgment in forcible detainer suit where no reporter’s record of trial proceedings existed, and court of appeals presumed trial court determined all facts necessary to its judgment).

We overrule issues 1 and 2.

C. Due Process Challenges

In issue 3, Kama asks us to determine “[w]hether the Plaintiff[s] eviction lawsuit violate[s] the Appellant’s right to due process under the Fourteenth Amendment of the United States Constitution and Article I, Section 19 of the Texas Constitution for engaging in protected activities[.]” Kama does not allege any error on the part of the trial court or address whether she brought this issue before the

¹ Although Kama requested findings of fact, the record does not reflect that the trial court made any findings of fact or conclusions of law.

trial court. Therefore, she presents nothing for this court to review.² See Tex. R. App. P. 33.1, 38.1(f), 44.1.

In issue 4, Kama argues the trial court erred in finding that her due process rights were not violated, “given the plaintiff[’]s failure to provide proper notice or cause for eviction[.]” The Property Code requires that “the landlord must give a tenant who defaults or holds over beyond the end of the rental term or renewal period at least three days’ written notice to vacate the premises before the landlord files a forcible detainer suit, unless the parties have contracted for a shorter or longer notice period in a written lease or agreement.” Tex. Prop. Code Ann. § 27.005. But, we lack a reporter’s record of the proceedings. Without such a record, we must presume the trial court determined all facts necessary to its judgment. *Mockingbird Rest.*, 191 S.W.3d at 721. We overrule issue 4.

In issue 5, Kama asserts that she was excluded from the judicial proceedings on May 8, 2024—in the Justice Court—which constituted a violation of due process under the Fourteenth Amendment and her First Amendment Rights. Although Kama does not specify how she was excluded from the hearing or by whom, we presume for purposes of considering this issue on appeal that it was based on a trial-court error. However, when Kama appealed the judgment of

² We construe pro se pleadings and briefs liberally. See *Harrison v. Reiner*, 607 S.W.3d 450, 457 (Tex. App.—Houston [14th Dist.] 2020, pet. denied). Even so, pro se litigants must comply with all applicable rules of procedure and substantive law. *Burbage v. Burbage*, 447 S.W.3d 249, 258 (Tex. 2014) (explaining that courts may not stray from procedural rules simply because a litigant represented itself).

the Justice Court, she received a trial de novo in the County Court at Law. When a forcible-detainer judgment is appealed, “[t]he case must be tried de novo in the county court. A trial de novo is a new trial in which the entire case is presented as if there had been no previous trial.” Tex. R. Civ. P. 510.10(c). Therefore, even if there were error by trial court related to Kama’s nonappearance at the hearing, such error was mooted by the trial de novo in the County Court at Law.

We overrule issue 5.

III. CONCLUSION

We affirm the judgment of the County Court at Law as challenged on appeal.

/s/ Tonya McLaughlin
Justice

Panel consists of Justices Wise, McLaughlin, and Antú.

**APPENDIX B: Judgment of the Fourteenth Court of
Appeals (Jun.12, 2025)**

June 12, 2025.



**JUDGMENT
The Fourteenth Court of Appeals**

NACHAIYA KAMA, Appellant

NO. 14-24-00519-CV V.

**GREENRIDGE PLACE APARTMENTS D/B/A
GREENRIDGE PLACE,
Appellee**

This case, an appeal from the judgment in favor of appellee, Greenridge Place Apartments d/b/a Greenridge Place, signed June 27, 2024, was heard on the appellate record. We have inspected the record and find no error in the judgment. We order the judgment of the court below **AFFIRMED**.

We order appellant, Nachaiya Kama, to pay all costs incurred in this appeal. We further order this decision certified below for observance.

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Judgment rendered June 12, 2025.

Panel consists of Justices Wise, McLaughlin, and Antú. Memorandum Opinion delivered by Justice McLaughlin.

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**APPENDIX C: Order of the Fourteenth Court of
Appeals Denying Motion for Rehearing.
(Aug. 7, 2025)**



Fourteenth Court of Appeals

301 Fannin, Suite 245
Houston, Texas 77002

Thursday, August 7, 2025

Breton Rycroft
Andrews Myers PC
1885 Saint James Pl Ste 1500
Houston, TX 77056
* DELIVERED VIA E-MAIL *

Michael Davis Jr.
Andrews Myers, P.C.
1885 Saint James Place, 15th Floor
Houston, TX 77056
*DELIVERED VIA E-MAIL *

Nachaiya Kama
5090 Richmond Ave. #222
Houston, TX 77056
* DELIVERED VIA E-MAIL *

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RE: Court of Appeals Number: 14-24-00519-CV
Trial Court Case Number: 1228426

Style: Nachaiya Kama v. Greenridge Place
Apartments d/b/a Greenridge Place. Please be advised
that on this date, the Court **DENIED**
APPELLANT'S motion for rehearing in the above
cause.

**Panel Consists of Justices Wise, McLaughlin,
and Antú.**

Sincerely,

/s/ Deborah M. Young

Deborah M. Young,
Clerk of the Court

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**APPENDIX D: Order of the Fourteenth Court of
Appeals Denying Motion for Rehearing En Banc.
(Aug. 7, 2025)**



Fourteenth Court of Appeals

301 Fannin, Suite 245
Houston, Texas 77002

Thursday, August 7, 2025

Breton Rycroft
Andrews Myers PC
1885 Saint James Pl Ste 1500
Houston, TX 77056
* DELIVERED VIA E-MAIL *

Michael Davis Jr.
Andrews Myers, P.C.
1885 Saint James Place, 15th Floor
Houston, TX 77056
*DELIVERED VIA E-MAIL *

Nachaiya Kama
5090 Richmond Ave. #222
Houston, TX 77056
* DELIVERED VIA E-MAIL *

Greenridge Drive, Apt. 1611, Houston, Texas 77057
(the "Premises");

2. Plaintiff terminated Defendant's right to occupy the Premises as required by law;
3. Plaintiff made written demand upon Defendant to vacate the Premises, which demand was received by Defendant as required by law;
4. Defendant is therefore guilty of forcible detainer with regard to the Premises;
5. Plaintiff is entitled to delinquent rent pursuant to the terms of the Lease from Defendant;
6. Plaintiff is entitled to recover its attorneys' fees from Defendant;
7. Plaintiff is entitled to possession of the Premises from Defendant;
8. Plaintiff is entitled to recover its costs of court from Defendant; and
9. Plaintiff is entitled to recover all monies deposited into the Court's Registry on behalf of Defendant as an appeal bond in this matter as an offset to the Judgment awarded to Plaintiff herein.

It is therefore:

ORDERED, ADJUDGED and DECREED that Plaintiff, **GREENRIDGE PLACE APARTMENTS D/B/A GREENRIDGE PLACE**, shall be and hereby is awarded possession of the Premises located in Harris County at 3000 Greenridge Drive, Apt. 1611, Houston, Texas 77057 from Defendant, **NACHAIYA KAMA AND ALL OCCUPANTS**, of the Premises; It is, further,

ORDERED, ADJUDGED and DECREED that Defendant, **NACHAIYA KAMA AND ALL OCCUPANTS**, shall pay to Plaintiff, **GREENRIDGE PLACE APARTMENTS D/B/A GREENRIDGE PLACE**, delinquent rent in the amount of \$3,169.20

together with post-judgment interest thereon at the rate of five per cent (5%) per annum from the date of this Judgment until paid; It is, further,

ORDERED, ADJUDGED and DECREED that Defendant, NACHAIYA KAMA AND ALL OCCUPANTS, shall pay to Plaintiff, GREENRIDGE PLA APARTMENTS D/B/A GREENRIDGE PLACE \$3,112.00 for reasonable and necessary attorneys' fees expended related to this matter, with interest thereon at the rate of five per cent (5%) per annum from the date of this Judgment until paid; It is, further,

ORDERED, ADJUDGED and DECREED that Defendant, NACHAIYA KAMA AND ALL OCCUPANTS, shall pay to Plaintiff, GREENRIDGE PLACE APARTMENTS D/B/A GREENRIDGE PLACE, all of its taxable costs of court, together with post-judgment interest thereon at the rate of five per cent (5%) per annum from the date of this Judgment until paid; It is, further,

ORDERED, ADJUDGED and DECREED that Teneshia Hudspeth, Harris County Clerk, disburse the registry funds paid by Defendant, NACHAIYA KAMA, in the amount of \$834.00 to Plaintiff, GREENRIDGE PLACE APARTMENTS D/B/A GREENRIDGE PLACE, and that such funds be made payable to Plaintiff, GREENRIDGE PLACE APARTMENTS D/B/A GREENRIDGE PLACE, by mailing same to:

GREENRIDGE PLACE APARTMENTS D/B/A
GREENRIDGE PLACE
Attn: Christopher Savoy
3000 Greenridge Drive
Houston, Texas 77057

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ORDERED, ADJUDGED and DECREED that the Clerk of the Court issue all writs and processes, including but not limited to writs of possession and writs of execution, in aid of satisfaction of this Judgment. The writ of possession shall be available to be issued on July 5, 2024. It is further,

ORDERED, ADJUDGED and DECREED that if this case is appealed to the Court of Appeals and Plaintiff prevails, Plaintiff shall be awarded \$7,500.00 in additional attorneys' fees from Defendant, if a Motion for Rehearing or an Application for a Writ of Error is made to the Supreme Court and Plaintiff prevails, then Plaintiff shall be awarded \$7,500.00 in additional attorneys' fees from Defendant; and if an appeal is made to the Texas Supreme Court and Plaintiff prevails, Plaintiff shall be awarded \$7,500.00 in additional attorneys' fees from Defendant. It is, further,

ORDERED, ADJUDGED, AND DECREED that the supersedeas bond to stay execution of this Judgment is hereby set at \$8,340.00. Said bond to be either cash or corporate surety bond.

This is a Final Judgment disposing of all issues and all parties, and all prior interlocutory orders of the Court in this cause are hereby made final, and this judgment is appealable.

SIGNED on this day of 6/27/2024 2024.

/s/ Audrie Lawton Evans

JUDGE PRESIDING

**APPENDIX H: Constitutional and Statutory
Provisions Involved**

U.S. Const. art. VI, cl. 2

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

U.S. Const. amend. XIV, § 1

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

42 U.S.C. § 3604(a)

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, or national origin.

42 U.S.C. § 3617

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of the exercise or enjoyment of, any

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right granted or protected by section 3603, 3604, 3605,
or 3606 of this title.

42 U.S.C. § 1982

All citizens of the United States shall have the same
right, in every State and Territory, as is enjoyed by
white citizens thereof to inherit, purchase, lease, sell,
hold, and convey real and personal property.