

CLERK OF THE COURT  
TABATHA FERGUSON  
BOSQUE COUNTY CLERK  
MERIDIAN, TEXAS

ATTORNEY FILING  
JAMES L ROBERTSON  
PO BOX 200215  
ARLINGTON, TEXAS 76006

**THE STATE OF TEXAS**

TO ALL PERSONS INTERESTED IN THE ESTATE OF **MARY ALMA THOMAS**, deceased, Docket No. **P08430** County Court at Law Bosque County, Texas, **JAMES WILHITE** filed in the County Court at Law of Bosque County, Texas, on the **4<sup>th</sup> day of June, 2024**, a **MOTION TO BE APPOINTED EXECUTOR AND FOR LETTERS TESTAMENTARY**. Said motion will be heard and acted on by said Court **no earlier than 10:00 am** on the **first Monday** next after the expiration of ten days, from the date of posting this citation, the same being the **17<sup>th</sup> day of June, 2024** at the County Court at Law Judicial Annex in **MERIDIAN, TEXAS**.

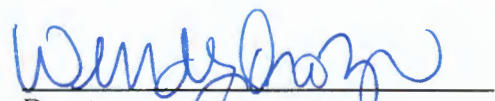
All persons interested in said estate are hereby cited to appear before said Honorable Court at said above mentioned time and place by filing a written answer contesting such application should they desire to do so.

The officer executing this citation shall post the copy of the citation at the Courthouse Door of the county in which proceedings are pending, or at the place in or near said Courthouse where public notices customarily are posted, for not less than 10 days before the return day thereof, exclusive of the date of posting and return the original copy of this citation to the Clerk stating in a written return thereon the time when and the place where he posted such copy.

**GIVEN UNDER MY HAND AND THE SEAL OF SAID COURT** in Meridian, Texas. This the **4<sup>th</sup> day of June, 2024**.



  
\_\_\_\_\_  
**TABATHA FERGUSON**  
Bosque County Clerk

  
\_\_\_\_\_  
Deputy

## OFFICER'S RETURN ON CITATION

Came to hand on the 41 day of June, 2024, at  
4:05 o'clock P.M. and executed on the 41 day of June, 2024  
by posting a copy of the within citation for ten days, exclusive of the day of posting,  
before the return day hereof, at the County Courthouse door of Bosque County,  
Texas, or at the place in or near the said courthouse where public notices customarily are  
posted, that is from 6/4, 2024, through 6/12,  
2024, inclusive.

  
\_\_\_\_\_  
CONSTABLE  
BOSQUE COUNTY, TEXAS

Printed name: Scott Ferguson



the Estate – but to Linda Thomas and which were an unnecessary expense to the Estate;

- d. Immediately upon the deceased's ultimately fatal injuries and hospitalization, Susan Winters loaded up a truck and trailer and tried to take property and vehicles belonging to the Estate back to Susan Winter's home in Oklahoma.
  - e. Susan Winters rightfully took possession of the deceased's bank account as it was a Joint Tenancy. However the deceased had many automatic deposits into that account. Several of those deposits continued such as social security and retirement should have expired at the date of death but no one notified those payors. It appears that Susan Winters has closed out that account and confiscated those estate assets to the total of \$2,636.99 and has neither paid them into the estate nor accounted for them.
  - f. Susan Winters has represented that an agreement regarding the distribution of the Estate and that an Independent Administrator should be appointed and James Wilhite agreed based upon Susan Winter's Counsel representing that he knew a bank that would serve. It turns out the bank would not serve, nor would her Counsel's second choice. This caused month's of needless delay and expense.
  - g. There is now pending a Motion for Judgement regarding the character of the assets in the Estate BUT STILL no one has been appointed as Executor of the Estate!
  - h. We are now two and a half years since the filing of the Will herein and Susan Winters has made no attempt to become the representative of the Estate. She simply brings ancillary actions, causes expense to the Estate and continues to delay the proper administration of the estate.
5. In any other context it would be appropriate to declare that Susan Winters had attempted to steal her Mothers's farm equipment while her Mother was hospitalized – removing that property to Oklahoma and beyond the jurisdiction of this Court.
  6. In any other context it would be appropriate to audit the Estate's interest in the bank account and declare that Susan Winters had stolen at least \$2,636.99 from the Estate.
  7. In summary, Susan Winters has caused this Estate to be delayed for two years, has caused additional and unnecessary expense to the Estate, has attempted to take Estate assets

beyond the jurisdiction of this Court, and has taken several thousand dollars of Estate assets to her own use.

Wherefore Premises Considered, James Wilhite respectfully requests and prays that he be appointed Executor of this Estate and that he be issued Letters Testamentary.

RESPECTFULLY SUBMITTED

/S/ James L Robertson

JAMES L. ROBERTSON, Attorney for Movants  
Texas Bar Card Number 17061050  
P.O. Box 200215 Arlington, Texas 76006  
JimRobertsonsemail@gmail.com  
Voice 817-821-4150 Facsimile 817-394-0541

CERTIFICATE OF SERVICE

This is to certify that in filing the above matter, electronic service will be requested to all notice parties in this case.

/S/ James L Robertson

JAMES L. ROBERTSON

### Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Jim Robertson on behalf of Jim Robertson  
Bar No. 17061050  
jimrobertsonsemail@gmail.com  
Envelope ID: 88425069  
Filing Code Description: Counter Claim/Cross  
Action/Interpleader/Intervention/Third Party/Contest  
Filing Description: Counter Claim/Cross  
Action/Interpleader/Intervention/Third Party/Contest  
Status as of 6/4/2024 2:45 PM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
James Robertson		jimrobertsonsemail@gmail.com	6/4/2024 2:10:51 PM	SENT
Anthony E.Silas		anthony@silaslaw.com	6/4/2024 2:10:51 PM	SENT

Associated Case Party: First Security State Bank & Trust

Name	BarNumber	Email	TimestampSubmitted	Status
Blake Rasner		brasner@haleyolson.com	6/4/2024 2:10:51 PM	SENT

Associated Case Party: SusanDianeWinters

Name	BarNumber	Email	TimestampSubmitted	Status
Miranda Jackson		miranda@blanchardthomas.com	6/4/2024 2:10:51 PM	SENT
Teresa Shiller		teresa@blanchardthomas.com	6/4/2024 2:10:51 PM	SENT