

submission as the Plea was based solely on uncontroverted pleadings and facts--Plaintiff's claim that he was deprived of oral argument on same does not entitle him to a new trial. Third, no sur-reply to Defendants' Reply to Plaintiff's Response to Plea in Abatement was necessary and would not have been considered by the Court. Fourth, Plaintiff is not entitled to a new trial based on his inability to object to Defendants' proposed order granting the Plea to the Jurisdiction.

IT IS THEREFORE ORDERED that Plaintiff's Sworn Motion Under Rule 306a(5) and Motion for New Trial Under Rule 329b is DENIED in its entirety.

IT IS FURTHER ORDERED that all relief requested in the Motion and not expressly granted herein is DENIED.

IT IS SO ORDERED.

SIGNED this 27th day of May, 2026.

A handwritten signature in blue ink, appearing to read "Wes Hatch", is written above a horizontal line.

JUDGE PRESIDING

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