

WELLS FARGO BANK, NA

CASE NO: 716,865 DIVISION: K

VERSUS

24TH JUDICIAL DISTRICT COURT

PARISH OF JEFFERSON

MICHAEL T. MOSLEY, JR.
and RANADA TURNER MOSLEY

STATE OF LOUISIANA

**PETITION FOR INTERVENTION AND
NOTICE OF PROOF OF CLAIM**

FILE FOR RECORD
2014 APR - 1 AM 11:21
PARISH OF JEFFERSON, LA

NOW INTO COURT, through undersigned counsel, comes Intervenor, the State of Louisiana, Office of Community Development, Disaster Recovery Unit, Hazard Mitigation Grant Program (hereinafter, "HMGP"), through this Petition for Intervention and Notice of Proof of Claim, which respectfully represents:

1.

The Defendant in this case, MICHAEL T. MOSLEY, JR. ("Defendant"), is a major domiciliary of Jefferson Parish, who voluntarily participated in HMGP to mitigate his home after Hurricane Katrina.

2.

HMGP is a mitigation program funded by FEMA and is administered by the State of Louisiana, the grantee. HMGP assists homeowners whose homes were damaged as a result of Hurricanes Katrina and Rita. It also helps homeowners in coastal Louisiana protect their homes from damage which may occur in future natural disasters by elevating their homes, reconstructing safer structures, or installing individual mitigation measures. The State of Louisiana serves as the funding vehicle by which FEMA funds are awarded to eligible homeowners.

3.

Defendant voluntarily agreed to participate in the HMGP. *See Exhibit A.* Federal grant funds in the amount of \$7,500.00 were paid to Defendant on or about October 25, 2010 to install individual mitigation measures at his home. *See Exhibit B*

4.

Although Defendant received the payment of \$7,500.00, he failed to comply with HMGP guidelines by not completing the contracted mitigation project. *See Exhibit C (in globo).* He has also failed to return the \$7,500.00 payment to HMGP.

5.

Defendant's failure to comply has resulted in him owing HMGP \$7,500.00 in unearned federal funds, which must be recovered by HMGP, the state program charged with distributing FEMA funds for mitigation projects.

6.

HMGP must account to FEMA for all funds issued through HMGP. Failure of HMGP to recover the \$7,500.00 award to Defendant will result in reimbursement to FEMA being made directly by the State of Louisiana.

7.

HMGP intervenes in the seizure and judicial sale of MICHAEL T. MOSLEY, JR.'s property at 2801 Doreen Lane in Marrero, Louisiana 70072 and notices all interested parties that the covenant running with the land recorded in Jefferson Parish at Instrument No. 11101313, Book 3274, Page 197 evidences the obligation of MICHAEL T. MOSLEY, JR. and all future owners of the property to comply with the terms and provisions of the covenant. *See Exhibit D.* Said judicial sale is scheduled for April 9, 2014 or on any day thereafter by the Jefferson Parish sheriff.

8.

HMGP requests the debt of \$7,500.00 owed by MICHAEL T. MOSLEY, JR. be recognized in the seizure and judicial sale of the subject property; and that, out of the proceeds of the judicial sale of the subject property HMGP be paid the amount necessary to satisfy the indebtedness owed to HMGP by MICHAEL T. MOSLEY, JR.

9.

HMGP further requests that it be notified of any and all claims made against 2801 Doreen Lane in Marrero, Louisiana 70072.

10.

HMGP additionally requests that the Order issued in this matter is recorded

ALL PREMISES CONSIDERED, WHEREFORE, INTERVENOR PRAYS:

a. For leave of court to file this petition of intervention;

b. It is permitted to intervene in the seizure and judicial sale of 2801 Doreen Lane in Marrero, Louisiana 70072;

c. That the debt of \$7,500.00 owed by MICHAEL T. MOSLEY, JR. be recognized in the seizure and judicial sale of the subject property and that proceeds of the sale be distributed to HMGP in satisfaction of the debt owed;

d. That funds recovered from the judicial sale that satisfy the debt owed to the State of Louisiana's HMGP be transmitted by the Jefferson Parish Sheriff's Office to HMGP;

e. It be notified of any and all claims made against 2801 Doreen Lane in Marrero, Louisiana 70072; and

f. That the Court grant such other relief as is just and proper.

Respectfully submitted:



Lesia Batiste Warren, #22803
La Koshia R. Roberts, #26715
Office of General Counsel
State of Louisiana, through
its Division of Administration
P.O. Box 94095 (70804-9095)
1201 N. Third Street, Suite 7-270
Baton Rouge, LA 70802
Telephone: (225) 342-7154
Facsimile: (225) 219-7572
LaKoshia.Roberts@la.gov

WELLS FARGO BANK, NA

VERSUS

MICHAEL T. MOSLEY, JR.
and RANADA TURNER MOSLEY

CASE NO: 716,865 DIVISION: K
24TH JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON
STATE OF LOUISIANA

FILE FOR RECORD
2014 APR - 1 AM 11:21
S/SAM ADAM
DEPUTY CLERK
PARISH OF JEFFERSON, LA

VERIFICATION

CONSIDERING THE FOREGOING PETITION FOR INTERVENTION AND
NOTICE OF PROOF OF CLAIM:

I, CRAIG P. TAFFARO, JR., Director of the State of Louisiana's Hazard Mitigation Grant Program, declare under penalty of perjury that the representations made in the foregoing Petition are true and correct to the best of my knowledge, belief and understanding.

THUS DONE ON THIS 28 DAY OF MARCH 2014 IN NEW ORLEANS,
ORLEANS PARISH, LOUISIANA.



Craig P. Taffaro, Jr.



La Koshia Reonda Roberts
Notary Public
Bar Roll No. 26715
My Commission expires at death.

