

OBJECTION AGAINST MOTION TO DISMISS COMPLAINT

I, TIBOR GYULA BALOGH (plaintiff) respectfully object to the Motion presented before the Court to dismiss my Civil Rights Litigation against Texas Department of Public Safety (defendant), motion based on Federal law S1983 cases which have no statute of limitations that can liberally be interpreted as responsibility for violations of a person's Civil Rights by the police (DPS) do not have any expiration periods, or, it could be interpreted as applicable statutes of limitations laws of states where incidents occur apply where Federal laws do not specify a specific statute of limitation. Texas state law for statute of limitations says;

*"Under Texas law, in order to 'bring suit' on a state law claim within the two-year personal injury statute of limitations, the plaintiff must not only file suit within the limitations period but must also use due diligence in serving the defendant with process if the defendant is served after the expiration of the limitations period." Pardes v. City of Odessa, W.D. Tex. 2000, 128 F. Supp.2d 1009.*

The two year statute of limitation is based on this Texas law "in order to 'bring suit' on a state law claim within the two-year personal injury statute of limitations ", my Civil Rights Litigation is based on a United States Constitutional Amendment and I bring suit in Federal Court having jurisdiction over the enforcement of this Federal law, thus the two-year personal injury statute of limitation does not apply in my litigation in Federal Court where I am litigating based on a Federal law.

T6B

END

T6B

NOT USED

T6B

I

T6B