

NVS-200
CL-10460499-1187

MAY 29 2013

San Antonio, TX

May 15, 2013

To the Administrator and/or

To whom It May Concern:

National Highway Traffic

Safety Administration. 1200 New Jersey Avenue, SE. Washington
DC 20590.

Served by: Regular U.S. Mail.

Dear: Administrator and/or Concern:

copy
↓

Enclosed is a Document Titled "Second Letter of Complaint and Notice to Knowledge" addressed to Mr. Ernesto Ancira and to Whom It Concern. Attached are 5 pages plus this cover sheet, for your Notice and Request for interference in Order of my petition in the complaint must be grant on my favor. Note: If somebody responds me this your letter; the responds must be mentioned that is attached of copy for you in order to be legal.

Sincerely

✓ C.C.. [REDACTED] Files'. Cover Sheet.

10 4 29 A 9 01

RECEIVED

NM
53113
SMD

[REDACTED]
San Antonio, TX [REDACTED]

May 14, 2010

Served by Fax Mail No: (210) 231-4318

SECOND LETTER OF COMPLAIN AND NOTICE OF KNOWLEDGE

Ancira Volkswagen;
Attn: Mr. Ernesto Ancira and
To Whom It May Concern:
6125 Bandera Rd.
San Antonio, TX 78238.

RE: Volkswagen 2003 Passant VIN: WVWPD63B83P [REDACTED]

Dear Ancira and Concern:

I, [REDACTED], owner of the Volkswagen 2003 Passant VIN: WVWPD63B83P [REDACTED] that is on your business since May 11, 2012 respectfully writes this Second Letter of Complain to you and as good and sufficient grounds therefore would respectfully show unto you as follows:

1. That since May 11, 2013 to today I bring my car to your business, as you are dealer of Volkswagen, in order to complain because this car is a defective product car, you have not doing any legal action in order to solve this problem and you are ignoring my situation about this car that is your responsibility to solve.

2. That since my Letter of Complaint and Notice dated April 3rd, 2013 and served to you by certified mail No: 7012 1010 0001 1113 0328 on April 4th, 2013; you are not doing anything that favor me and solve my complaint on the contrary you move my car to the other department; Ancira Volkswagen Kia; that is threatening me with sell my car by miserable one hundred twenty five dollars. See attached copy of the certified letter No: 7012 1010 0002 1178 4667 that they recently sent to me, as Exhibit A – 2 pages

Today May 14, 2013; I have call several times to the telephone mentioned on this letter ; (210) 681 – 2300; (2:07, 3:47, 4:19, 4:58, 5: 15, 5:16 P.M.) noticing this second complaint by telephone call but there was no legal responds. On this last call conversation with your general manager, he told me that he will order to sale my car.

3. I complained immediately and said to him that this was not the solution to this problem. That this car must be out of circulation because can cause a dead injury to me or somebody that pretends to used.

4. I complain that this is not the correct way to solve this problem. This car is a Defective Product Car and you must make your report to the Company attaching copy to all parties that I did on my first, second and this Letter of Complaint and notice in Order to do not carry with any responsibility, but you are no doing any legal procedure and this action must be sanctioned.

5. Now my car is in your second business Ancira Volkswagen Kia; and I want to know what you will do in order to solve my problem. If your and your general manager want charge me storage for your responsibility the amount of \$ 125.00 dollars I want for my car \$ 10, 000.00 dollars.

NOTICE OF KNOWLEDGE

Mr. Ancira and to Whom Concern:

- a) I want to notice your that you must be pay me my money portion if you sale my car for less money that 10, 125.00 dolls.
- b) That I will prosecute, prosecute and prosecute you until you pay me my car.
- c) That you did not mention, on your Notice of Foreclosure, the Texas Law that empowered you to sale my car.
- d) That your Notice of Foreclosure mentioned above is a NOT VALID DOCUMENT because it was sent to me unsigned and this is a violation of the TEX.R.CIV. P.191.3 (d). **Signing of Disclosures, Discovery Requests, Notices, Responses, and Objections. (d) Effect of failure to sign. If a request, notice, response, or objection is not signed, it must be stricken unless it is signed promptly after the omission is called to the attention of the party making the request, notice, response, or objection. A party is not required to take any action with respect to a request or notice that is not signed.**
- e) I very upset against you because you have not doing any legal action to solve my problem. *** I will attached a copy of an Affidavit of fact on support of this Second Letter of Complaint and Notice as Exhibit B - 1 page , if this case go to the General Attorney in Washington D.C..
- f) **PURSUANT THE TEXAS RULES OF EVIDENCE: RULE 407. SUBSEQUENT REMEDIAL MEASURES; NOTIFICATION OF DEFECT. (b) Notification of Defect. A written notification by a manufacturer of any defect in a product produced by a manufacturer to purchasers thereof is admissible against the manufacturer on the issue of existence of the defect to the extent that it is relevant. So that I left under your responsibility all actions and decisions make be Mr. Mainer, against my car.**
- g) **YOU are responsible to take legal action on this car because you are a Dealer of Volkswagen and Volkswagen Kia.**
- h) That I am requesting for relief and return me the money that this defective product car value when I buy it: \$ 10, 000.00 dolls, and or another car that have this valuable price. I have to expend more money buying other car because I really need it.
- i) That the Company of Volkswagen must have an insurance that cover this class of cases.
- i) Mr. Ancira and Mr. Concern: I ever have considered the Volkswagen car as the best cars in the world. Why you do not help me with this car? I do not want to get the risk to get burned with this car. Why you did not understand?
- j) Please respond me in writing and on proper matter signing all the correspondence that

you addressed to me and attaching copy at all persons that I am sending copy of this letter.

WHEREFORE, based on the above reasons, Complainant [REDACTED] Notice of Knowledge to you, Mr. Ernesto Ancira and the concern, to be Notice of this Second Letter of Complaint and demands an immediate written responds on the next 10 days. Your written responds must attach copy to all persons that this document mentions in order to be a valid and legal document. If you want to go the Court I will be the plaintiff and you will be responsible to pay the cost of my attorney and the Court

Sincerely

[REDACTED]

CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2013 I filed the forgoing Second Letter of Complain and Notice of Knowledge by Fax Service Mail No: (210) 231-4318 and by E – Mail at [aancira @ ancira.com](mailto:aancira@ancira.com) with Mr. Ernesto Ancira and To Whom It May Concern on the business titled Ancira Volkswagen located on 6125 Bandera Rd. San Antonio, TX 78238.

I hereby further certify that a correct copy of this Document will be served by U.S. Regular Mail, on May 15, 2013, as follows:

1. To the Administrator and/ or to Whom It May Concern: at the National Highway Traffic Safety Administration at 1200 New Jersey Avenue, SE Washington, DC 20590.
2. To the Volkswagen of America, Inc, at 3800 Hamlin Road, Auburn Hills, MI 48326. Served by Fax Service Mail at 1(248) 754 6504.
3. To the Texas Attorney General Attn: Consumer Protection and/ To Whom It May Concern at 300 W. 15th, St. Austin, TX 78701.
4. To Whom It May Concern at the Business Bureau, at 1005 La Posada Dr. Austin, TX 78752.
5. **To the General Manager of Ancira Volkswagen Kia on 6125 Bandera Rd. San Antonio, TX, 78238.**
6. **Texas Department of Public Safety Att'n: Mr. Steven C. McCraw. Director and To Whom It May Concern. 5805 N. Lamar Blvd. Austin, TX 78773-0001.**
Via: Fax: 512- 424-2848

[REDACTED]

San Antonio, TX [REDACTED]

Cc. Files: [REDACTED]

NOTICE OF FORECLOSURE

5/2/2013

OWNER: [REDACTED]
STREET: [REDACTED]
CITY-ST: SAN ANTONIO TX [REDACTED]

CUSTOMER:
STREET:
CITY-ST:

LIEN:
STREET:
CITY-ST:

LIEN DATE:

YOU ARE HEREBY NOTIFIED THAT FOR THE PAST THIRTY DAYS WE HAVE RETAINED POSSESSION OF YOUR VEHICLE, WHICH IS DESCRIBED AS:

MAKE: VOLK

YEAR: 2003

LICENSE: [REDACTED]

ID#: WWWPD63B83P [REDACTED]

LOCATED: 6125 BANDERA RD

CITY: SAN ANTONIO

TEXAS

78238

AS WE WERE EMPOWERED TO DO SO UNDER TEXAS LAW IN ORDER TO SECURE OUR CHARGES WHICH HAVE BEEN DUE FOR MORE THAN FIVE DAYS. SUCH CHARGES CONSTITUTES REASONABLE CUSTOMARY AND USUAL COMPENSATION FOR REPAIRS WHICH HAVE BEEN MADE TO THE ABOVE DESCRIBED VEHICLE WITH LABOR AND MATERIALS.

***STORAGE:** \$125.00

TOTAL: \$125.00

AS YOU HAVE NOT PAID SUCH CHARGES, YOU ARE FURTHER NOTIFIED TO COME FORWARD AND PAY THE ABOVE. YOUR FAILURE TO DO SO WITHIN THIRTY DAYS OF THIS NOTICE SHALL CAUSE US TO SELL SAID VEHICLE AT PUBLIC SALE AND APPLY THE PROCEEDS TO PAYMENT OF SAID CHARGES PAYING OVER ANY BALANCE TO THE PERSON ENTITLED TO THE SAME.

TO SATIFY IN FULL THE AMOUNT ABOVE, PLEASE CONTACT:
AT 210-681-2300

ANCIRA VOLKSWAGEN KIA

PAYMENT MUST BE PAID BY CASH OR CERTIFIED FUNDS ONLY

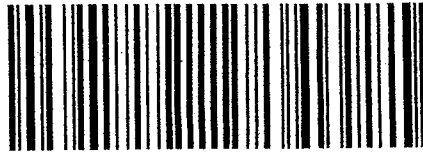
THE ABOVE MENTIONED VEHICLE WILL BE SOLD AT PUBLIC SALE ON THE 3RD
DAY OF JUNE 2013 AT 10:00 O'CLOCK AM ON SAID DAY AT THE
PREMISES ANCIRA VOLKSWAGEN KIA AT 6125 BANDERA RD SAN ANTONIO TX
78238 DOING BUSINESS IN THE COUNTY OF BEXAR

CLIENT: 12943

Page 4 of 5

ANCIRA VOLKSWAGEN KIA
6125 BANDERA RD
SAN ANTONIO TX 78238
(ATTEN: DAN MINOR)

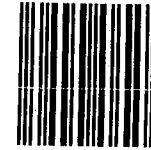
CERTIFIED MAIL™



7012 1010 0002 1178 4667



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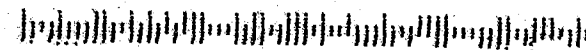
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SAN ANTONIO TX

**RETURN RECEIPT
REQUESTED**

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Page 5 of 5

San Antonio TX



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To the Administrator and/or
to whom it May Concern: at
National Highway Traffic
Safety Administration at
1200 New Jersey Avenue, S.E.
Washington, DC 20590.