

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

AUG 23 1998

CLAUDIA NAVARRO PINEDA, *et al.*, §
Plaintiffs, §
v. §
CITY OF HOUSTON, *et al.*, §
Defendants. §

Civil Action No. H-98-3877
JURY DEMANDED

**ANSWER OF DEFENDANT, CITY OF HOUSTON,
TO PLAINTIFFS' SECOND AMENDED COMPLAINT AND JURY DEMAND
AND CROSS-CLAIM**

Defendant, City of Houston, files its answer to plaintiffs' second amended complaint and jury demand:

ANSWER

1. Defendant, City of Houston, admits that on July 12, 1998, the individual defendants named in this suit, all officers of the Houston Police Department of defendant City of Houston on that date, proceeded to the home of Pedro Oregon Navarro, entered his home without a warrant, and fired approximately thirty-three (33) rounds into the bedroom of Pedro Oregon Navarro. Upon information and belief, defendant, City of Houston admits that Pedro Oregon Navarro was hit nine times in the back, once in the top of the head, once in the top of the shoulder, and once in the back of the hand. Defendant, City of Houston, denies all other allegations of paragraph 1 of plaintiffs' second amended complaint.

2. Defendant, City of Houston, admits that the individual defendants, D.H. Strouse, D.R. Barrera, P.A. Herrada, D.R. Perkins, L.E. Tillery, and James R. Willis were on duty, but defendant, City of Houston, contends that they acted outside the course and scope of their employment with the