

AFFIRMED and Opinion Filed July 10, 2020



**In the
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-19-00593-CV

**BROOKE ARMBRISTER, Appellant
V.
AMERICAN HONDA FINANCE CORPORATION, Appellee**

**On Appeal from the 160th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-19-00400**

MEMORANDUM OPINION

Before Justices Whitehill, Osborne, and Carlyle
Opinion by Justice Carlyle

Brooke Armbrister appeals pro se from the trial court’s judgment dismissing her petition under Texas Rule of Civil Procedure 91a. We affirm in this memorandum opinion. *See* TEX. R. APP. P. 47.4.

Ms. Armbrister filed a petition alleging American Honda Finance Corporation (AHFC) unlawfully repossessed her automobile after refusing to deduct her payment from a “Federal Government Federal Reserve Bank account.” She alleged she was working with the FBI, the NSA, and the Defense Department on an “artificial intelligence team.” Thus, according to Ms. Armbrister, the FBI and other

government agencies authorized her by “neural communication” to pay all of her bills from an account at the Federal Reserve, and AHFC could not refuse to deduct her payment from that account.

AHFC filed a motion to dismiss Ms. Armbrister’s petition under Rule 91a or, in the alternative, a motion for summary judgment. Ms. Armbrister filed a response that, as relevant to AHFC’s Rule 91a motion, explains her cause of action as follows:

Honda negated to accept payment, as a Federal Contractor working with The US Department of Justice, and National Security Agency under neural Communication to deny payment which encroached an unlawful repossession in fact- delays in my work relationships, and losses in daily functions and normal activities’ due to dishonesty, and not appropriately communicating with the law department, supplicated by their own business norms- via the SEC. They did not process the payment and took a charge off, and . . . allegedly sold the vehicle to which I never received the paperwork in expenses denied me again- violation noted by the OCC, Office of Consumer Credit Commissioner.

After a hearing, the trial court dismissed Ms. Armbrister’s petition under Rule 91a.

On appeal, Ms. Armbrister contends the trial court erred by granting AHFC’s motion to dismiss, an issue we review de novo. *See Bethel v. Quilling, Selander, Lownds, Winslett & Moser, P.C.*, 595 S.W.3d 651, 654 (Tex. 2020). A trial court may dismiss a cause of action under Rule 91a only if “it has no basis in law or fact.” TEX. R. CIV. P. 91a.1. “A cause of action has no basis in law if the allegations, taken as true, together with inferences reasonably drawn from them, do not entitle the claimant to the relief sought.” *Id.* “A cause of action has no basis in fact if no reasonable person could believe the facts pleaded.” *Id.*

The trial court did not err by dismissing Ms. Armbrister’s petition, which lacks a basis in fact. *See id.* No reasonable person could believe the federal government used “neural communication” to authorize Ms. Armbrister to pay all of her bills through the Federal Reserve, based on her purported work for the FBI and other government agencies. We affirm.

/Cory L. Carlyle/

CORY L. CARLYLE
JUSTICE

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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

BROOKE ARMBRISTER,
Appellant

No. 05-19-00593-CV V.

AMERICAN HONDA FINANCE
CORPORATION, Appellee

On Appeal from the 160th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DC-19-00400.
Opinion delivered by Justice Carlyle.
Justices Whitehill and Osborne
participating.

In accordance with this Court's opinion of this date, the judgment of the trial court is **AFFIRMED**.

Judgment entered this 10th day of July, 2020.