

OCT 28 2019 JG

At 3:02 P.M.
Velva L. Price, District Clerk

No. D-1-GN-19-006982

KYLE JASON McCARRELL,

Plaintiff,

v.

DUNHAM & JONES, ATTORNEYS AT
LAW, P.C., and JAMES ERICKSON,

Defendants.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

250th JUDICIAL DISTRICT

**ORDER GRANTING DEFENDANTS' MOTION TO
DECLARE PLAINTIFF A VEXATIOUS LITIGANT**

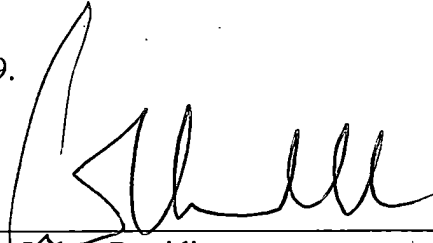
On October 28, 2019, came before the Court Defendants' Motion to Declare Plaintiff a Vexatious Litigant. Upon consideration of the pleadings, evidence, cited authorities, and argument of counsel and the *pro se* Plaintiff, the Court finds that:

1. There is no reasonable probability that the Plaintiff will prevail in the litigation against the Defendants; and
2. In the seven-year period immediately preceding the date the Defendants filed their motion, the Plaintiff has commenced, prosecuted, or maintained at least five litigations as a *pro se* litigant other than in small claims court that have been
 - a) Finally determined adversely to the plaintiff;
 - b) Permitted to remain pending at least two years without having been brought to trial or hearing; or
 - c) Determined by a trial or appellate court to be frivolous or groundless under state or federal law or rules of procedure.

It is therefore ORDERED that the Defendants' Motion to Declare Plaintiff a Vexatious Litigant is hereby GRANTED. It is further ORDERED that the Plaintiff must furnish security in the amount of \$ 10,000 on or before December 1, 2019. It is further ORDERED that if the Plaintiff fails to furnish security on or before said date, this case shall be DISMISSED with prejudice. It is further ORDERED that, pursuant to Section 11.101(a), Texas Civil Practice and Remedies Code, the Plaintiff is prohibited from filing, pro se, any new litigation without first

obtaining permission to file such litigation, as set forth in Section 11.102, Texas Civil Practice and Remedies Code. The District Clerk is ORDERED to provide the Office of Court Administration of the Texas Judicial System a copy of this order not later than the 30th day after this order is signed.

SIGNED on this the 29th day of October, 2019.



District Judge, Presiding