

CAUSE NO. D-1-GN-24-008968

SCOTT PHILLIP LEWIS,
Plaintiff,

v.

CITY OF AUSTIN; AUSTIN POLICE
DEPARTMENT, THE CITY OF
AUSTIN'S EMERGENCY MEDICAL
SERVICES DEPARTMENT; RYDE
ENTERPRISES LLC; DANIEL
DELUNA; CHRIS BOCKLET,
Defendants.

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IN THE DISTRICT COURT

OF TRAVIS COUNTY, TEXAS

250TH JUDICIAL DISTRICT

AMENDED ORDER GRANTING DEFENDANTS CITY OF AUSTIN, AUSTIN POLICE DEPARTMENT, AND THE CITY OF AUSTIN'S EMERGENCY MEDICAL SERVICES DEPARTMENT'S MOTION TO DECLARE PLAINTIFF A VEXATIOUS LITIGANT AND REQUESTING SECURITY

On May 15, 2025, the Court heard Defendants City of Austin, Austin Police Department, and the City of Austin's Emergency Medical Services Department's Motion to Declaration Plaintiff a Vexatious Litigant and Requesting Security in the above-styled and numbered cause. In making the Order, the Court considered the Defendants' Motion, evidence presented at the hearing, and argument of counsel.

The Court finds that Plaintiff Scott Phillip Lewis, appearing pro se, is attempting to relitigate issues of fact or law determined or concluded by the final determination against the same defendant as to whom the litigation was finally determined.

The Court finds that Defendants City of Austin, Austin Police Department, and the City of Austin's Emergency Medical Services Department's Motion to Declare Plaintiff a Vexatious Litigant and Requesting Security pursuant to Section 11.051 et seq. of the Texas Civil Practice Remedies Code should be GRANTED.

The Court finds that Scott Phillip Lewis is a vexatious litigant as that term is defined by

Section 11.054 of the Texas Civil Practice Remedies Code.

It is further ORDERED that Plaintiff shall be required to post reasonable security in the amount of \$5,000.00 for the purposes of assuring payment of the City of Austin, Austin Police Department, and City of Austin's Emergency Medical Services Department's reasonable attorney's fees, court costs, and expenses in accordance with Texas Civil Practice & Remedies Code section 11.055. To the extent it has not already done so, the court shall dismiss this litigation if Plaintiff fails to furnish the security within thirty (30) days of this order. Pursuant to Texas Civil Practice & Remedies Code section 11.052, the litigation is stayed and the City of Austin, Austin Police Department, and City of Austin's Emergency Medical Services Department are not required to file any pleadings until 10 days after said defendants receive written notice that Plaintiff has furnished the required security.

It is further ORDERED Plaintiff Scott Phillip Lewis is prohibited from filing, on his own behalf as pro se litigant, any new litigation in any state district or statutory county court in Texas, against any party, as provided by Section 11.102 of the Texas Civil Practice & Remedies Code as follows:

PERMISSION BY LOCAL ADMINISTRATIVE JUDGE. (a) A vexatious litigant subject to this pre-filing order is prohibited from filing, pro se, new litigation in court to which the Order applies without seeking permission of:

- (1) the local administrative judge of the type of court in which the vexatious litigant intends to file, except as provided by Subdivision (2); or
- (2) the local administrative district judge of the county in which the vexatious litigant intends to file if the litigant intends to file in justice or constitutional county court;
- (3) a vexatious litigant subject to pre-filing order who files a request seeking permission to

file litigation shall provide a copy of the request to all defendants named in the proposed litigation;

- (4) the local administrative judge may make determination on the request with or without hearing. If the judge determines that a hearing is necessary, the judge may require that the vexatious litigant filing request provide notice of the hearing to all defendants named in the proposed litigation;
- (5) the local administrative judge may grant permission to a vexatious litigant subject to pre-filing order to file litigation only if it appears to the judge that the litigation: (a) has merit; and (b) has not been filed for the purposes of harassment or delay;
- (6) the local administrative judge may condition permission on the furnishing of security for the benefit of the defendant;
- (7) a decision of the local administrative judge denying litigant permission to file litigation, or conditioning permission to file litigation on the furnishing of security is not grounds for appeal, except that the litigant may apply for writ of mandamus with the court of appeals not later than the 30th day after the date of the decision. The denial of a writ of mandamus by the court of appeals is not grounds for appeal to the supreme court or court of criminal appeals.

DUTIES OF CLERK. A clerk of court may not file litigation, original proceeding, appeal, or other claim presented, pro se, by vexatious litigant subject to pre-filing order unless the litigant obtains an order from the local administrative judge permitting the filing.

If the local administrative judge issues an order permitting the filing of the litigation, the litigation remains stayed and the defendant need not plead until the 10th day after the date the defendant is served with copy of the order. A clerk of a court of appeals may file an appeal from

pre-filing order entered designating person vexatious litigant or timely filed writ of mandamus.

If the clerk mistakenly files litigation presented, pro se, by vexatious litigant subject to pre-filing order without an order from the local administrative judge, any party may file with the clerk and serve on the plaintiff and the other parties to the litigation notice stating that the plaintiff is vexatious litigant required to obtain permission to file litigation.

Not later than the next business day after the date the clerk receives notice that vexatious litigant subject to pre-filing order has filed, pro se, litigation without obtaining an order from the local administrative judge, the clerk shall notify the court that the litigation was mistakenly filed. On receiving notice from the clerk, the court shall immediately stay the litigation and shall dismiss the litigation unless the plaintiff, not later than the 10th day after the date the notice is filed, obtains an order from the local administrative judge permitting the filing of the litigation. An order dismissing litigation that was mistakenly filed by a clerk may not be appealed.

NOTICE TO OFFICE OF COURT ADMINISTRATION; DISSEMINATION OF LIST.
A clerk of court shall provide the Office of Court Administration of the Texas Judicial System copy of any pre-filing order issued not later than the 30th day after the date the pre-filing order is signed.

The Office of Court Administration of the Texas Judicial System shall post on the agency's Internet website list of vexatious litigants subject to pre-filing orders. On request of a person designated a vexatious litigant, the list shall indicate whether the person designated vexatious litigant has filed an appeal of that designation.

The Office of Court Administration of the Texas Judicial System may not remove the name of vexatious litigant subject to pre-filing order from the agency's Internet website unless the office receives a written order from the court that entered the pre-filing order or from an appellate court.

An order of removal affects only a pre-filing order entered by the same court. A court of appeals decision reversing a pre-filing order entered affects only the validity of an order entered by the reversed court.

A person who disobeys an order under Subsection (a) is subject to contempt of court.

SIGNED AND DATED: JUNE 2, 2025



JUDGE PRESIDING
JESSICA MANGRUM