

JUN 06 2011

BY BARBARA BURMAN, DISTRICT CLERK  
DEPUTY

CAUSE NO. 2011-792-CCL2

JOHNNY M. STAFFORD	§	IN THE COUNTY COURT
	§	
v.	§	AT LAW NO. 2
	§	
J. HALL, A. CAVE, LONGVIEW	§	
ECONOMIC DEVELOPMENT CORP.	§	GREGG COUNTY, TEXAS
JUDGE VINCE DULWEBER, WENDY	§	
LIGON AND JOHN OVARD	§	

**ORDER DECLARING PLAINTIFF JOHNNY M. STAFFORD  
A VEXATIOUS LITIGANT AND ORDER FOR SECURITY**

On this day, the Court considered Defendants' Motion to Declare Plaintiff JOHNNY M. STAFFORD a Vexatious Litigant and Request for Security. After due consideration of said Motion, the evidence and arguments submitted by the parties at the hearing, the Court finds the Motion and Request to be well taken. It is, therefore,

ORDERED that Plaintiff is declared a vexatious litigant pursuant to Chapter 11 of the Texas Civil Practice and Remedies Code. The Court finds as follows:

1. That there is not a reasonable probability that Plaintiff JOHNNY M. STAFFORD will prevail in the litigation against the Defendants in this matter.
2. That Plaintiff JOHNNY M. STAFFORD, in the seven-year period immediately preceding the date the Defendants' filed their Motion to Declare Plaintiff JOHNNY M. STAFFORD a Vexatious Litigant and Request for Security, has commenced, prosecuted or maintained *in propria persona* at least eight (8) litigations. Specifically, the Court finds that the eight (8) litigations were not in small claims court and were disposed of as follows:
  - (a) Johnny M. Stafford v City of Longview, Texas, et al; Cause No. 2007-2090-A, in the 188<sup>th</sup> Judicial District Court and County Court at Law No. 2 of Gregg County, Texas (dismissed as being frivolous or malicious, by Plea to the Jurisdiction, by summary judgment and failure to prosecute).
  - (b) Lamar Elder, Jr., et al v Anadarco E&P Company, L.P., et al; Cause No. 2007-2555-CCL2, in the County Court at Law No.2 of Gregg County, Texas (dismissed on motion to strike and appeal dismissed for failure to file docketing statement).

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- (c) Johnny M. Stafford v City of Longview, et al; Cause No. 2009-1574-B, in the 124<sup>th</sup> Judicial District and County Court at Law No. 2 of Gregg County, Texas (dismissal by sanction).
- (d) Johnny M. Stafford v Gloria Stafford and Joe Shumate; Civil Action No. 6:04CV468, in the United States District Court for the Eastern District of Texas, Tyler Division (dismissal for failure to prosecute).
- (e) Johnny M. Stafford v Conoco, Inc. and Eastman Kodak; Civil Action No. 6:08CV124, in the United States District Court for the Eastern District of Texas, Tyler Division (dismissed for failure to invoke jurisdiction of the court).
- (f) Johnny M. Stafford v Chinn Exploration Company; Civil Action No. 6:08CV247, in the United States District Court for the Eastern District of Texas, Tyler Division (dismissal for failure to follow court order).
- (g) Johnny M. Stafford v 124<sup>th</sup> District Judge Alvin Khoury, et al; Civil Action No. 6:09CV210, in the United States District Court for the Eastern District of Texas (failure for pleading no recognizable claim and warned about frivolous litigation).
- (h) Johnny M. Stafford v James Thomas Tatum and Amy Tatum; Civil Action No. 6:09CV245, in the United States District Court for the Eastern District of Texas, Tyler Division (dismissal for failure to prosecute).

It is, therefore, ORDERED, ADJUDGED and DECREED, in accordance with the provisions of Tex. Civ. Prac. & Rem. Code §11.054, that JOHNNY M. STAFFORD is declared to be a “vexatious litigant” as that term is defined in Chapter 11 of the Texas Civil Practice & Remedies Code. It is, further,

ORDERED, ADJUDGED and DECREED, in accordance with the provisions of Tex. Civ. Prac. & Rem. Code §11.101 - 11.102, that JOHNNY M. STAFFORD is hereby **PROHIBITED** from filing *in propria persona* any new litigation, or intervening in any new or existing litigation, in a court in the State of Texas without first obtaining the permission of the local administrative judge of the court in which JOHNNY M. STAFFORD intends to file litigation or intervene in



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litigation. Pursuant to §11.102, the local administrative judge may condition permission to file new litigation, or intervening in litigation, on the furnishing of security for the benefit of the defendant(s) in the new litigation or intervention. It is, further,

ORDERED that the Clerk of this Court shall provide the Office of Court Administration of the Texas Judicial System with a copy of this Order, and that the name of JOHNNY M. STAFFORD be added to the list of vexatious litigants as required to be maintained by Tex. Civ. Prac. & Rem. Code §11.104. It is, further,

ORDERED that Plaintiff JOHNNY M. STAFFORD shall furnish security in this lawsuit in the amount of \$ 4,000<sup>00</sup> for the benefit of the Defendants. This security shall be paid into the registry of the Court on or before 4:00 PM JUNE 24<sup>th</sup>, 2011.

SIGNED this 6 day of JUNE, 2011

  
\_\_\_\_\_  
Judge Presiding

CERTIFIED COPY CERTIFICATE  
STATE OF TEXAS COUNTY OF GREGG  
I hereby certify that the above, consisting of 3 pages, is a true and correct copy of the original record on file in the District Clerk's Office of Gregg County, Texas  
This 6<sup>th</sup> day of June, 2011

BARBARA DUNCAN, DISTRICT CLERK  
BY:  Deputy



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FILED  
GREGG COUNTY, TEXAS

JUL 11 2011

57 O'CLOCK  
BARBARA BUNGAN, DISTRICT CLERK  
BY [Signature] DEPUTY

CAUSE NO. 2011-792-CCL2

JOHNNY M. STAFFORD

IN THE COUNTY COURT

v.

AT LAW NO. 2

J. HALL, A. CAVE, LONGVIEW  
ECONOMIC DEVELOPMENT CORP.  
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LIGON AND JOHN OVARD

GREGG COUNTY, TEXAS

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ORDER AND FINAL JUDGMENT

On Monday, June 27, 2011, the Court held a hearing on several pending motions and issues.

After due consideration of said motions and issues, the arguments of the parties, and the evidence, the Court issues the following Orders and findings:

1. Plaintiff's Oral Motion for Sanctions is **DENIED**.
2. Plaintiff's Motion to Reform or Vacate the Judgment is **DENIED**.
3. Pursuant to Section 13.001(a)(1) of the Texas Civil Practice & Remedies Code, the Court finds that Plaintiff's allegation of poverty in his affidavit is false. The court finds that Plaintiff is not indigent. It is **ORDERED** that the Clerk of this Court shall not accept any filings tendered by Plaintiff until such time that Plaintiff has paid all court costs incurred to date in this civil action.
4. Pursuant to Section 13.001(a)(2) of the Texas Civil Practice & Remedies Code, the Court finds that Plaintiff's claims and causes of action against all Defendants are frivolous and malicious.
5. The Court finds that Plaintiff failed to furnish security as ordered in the "Order Declaring Plaintiff Johnny M. Stafford a Vexatious Litigant and Order for Security" entered on June 6, 2011.
6. Pursuant to Sections 11.056 and 13.001 of the Texas Civil Practice & Remedies Code, the Court hereby **DISMISSES** all claims and causes of action against all Defendants.
7. It is further **ORDERED** that the Clerk of this Court shall, upon entry, provide a copy of this Order and Final Judgment, along with the Order Declaring Plaintiff a Vexatious Litigant and Order for Security, to the Office of Court Administration.




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8. This Order and Final Judgment finally disposes of all claims and all parties and is appealable.

SIGNED this 14 day of July, 2011.

  
JUDGE PRESIDING

CERTIFIED COPY CERTIFICATE  
STATE OF TEXAS COUNTY OF GREGG  
I hereby certify that the above, consisting of 2  
pages, is a true and correct copy of the original  
record on file in the District Clerk's Office of  
Gregg County, Texas  
This 14th day of July, 2011  
BARBARA DUNCAN, DISTRICT CLERK  
BY:  Deputy



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