



RABBI TOMMY L. PARKER,

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IN THE 47TH DISTRICT COURT

Plaintiff,

vs.

IN AND FOR

JOHN MANN and
JUDGE SAMUEL KISER,

Defendants.

RANDALL COUNTY, TEXAS

**ORDER DECLARING TOMMY L. PARKER A VEXATIOUS LITIGANT,
REQUIRING SECURITY AND PROHIBITING FILING A NEW LITIGATION**

On March 7, 2001, came on to be considered by the Court Defendant's Motion to Declare Plaintiff Tommy L. Parker a Vexatious Litigant. Due notice of the hearing was given to all parties; Tommy L. Parker appeared pro se, and Defendants John Mann and Judge Samuel Kiser appeared by their respective counsel of record. All parties announced ready for the hearing, and the Court received evidence. During the hearing, Plaintiff Tommy L. Parker announced in open court that he was taking a non-suit as to his claims against Defendant Judge Samuel Kiser, and the Court received and granted such non-suit as to Defendant Judge Samuel Kiser. After considering the evidence admitted at the hearing, and the argument of Plaintiff Tommy L. Parker and counsel for Defendant John Mann, the Court finds that Defendant's Motion to Declare Tommy L. Parker a Vexatious Litigant is meritorious and should be in all things granted.

Based on the evidence adduced at the hearing, the Court finds that Defendant Tommy L. Parker has, within seven years of the filing of Defendant's motion commenced, prosecuted, or maintained in propria persona at least five litigations other than in a small claims court that have

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been finally determined adversely to Plaintiff, or permitted to remain pending at least two years without having been brought to trial or hearing, or determined by a trial court be frivolous or groundless under state or federal laws or rules of procedure, or, after a litigation has been finally determined against Tommy L. Parker, he has repeatedly relitigated or attempted to relitigate, in propria persona, either the validity of the determination against the same defendant as to whom the litigation was finally determined, or the cause of action, claim, controversy, or any of the issues of fact or law determined or concluded by the final determination against the same defendant as to the litigation which was finally determined.

It is, therefore, ORDERED that TOMMY L. PARKER is DECLARED to be a VEXATIOUS LITIGANT.

It is further ORDERED that Tommy L. Parker shall furnish security in the amount of \$30,000.00 for the benefit of John Mann, and such security shall be sufficient as an undertaking by Tommy L. Parker to assure payment to John Mann for his reasonable expenses incurred in or in connection with any litigation commenced, caused to be commenced, maintained, or caused to be maintained by Tommy L. Parker, including costs and attorney's fees.

It is further ORDERED that the security provided in the immediately preceding paragraph shall be furnished no later than forty-five (45) days from the date of this order, and if such security is not furnished in the amount and within the time required by this Order, this action shall be dismissed.

It is further ORDERED that if this action is dismissed on its merits, Defendant JOHN MANN shall have recourse to the security furnished by TOMMY L. PARKER in an amount determined by

the Court.

It is further ORDERED that Tommy L. Parker is hereby prohibited from filing, in propria persona (*pro se*), a new litigation in any court of this state unless the local administrative judge of the court in which Tommy L. Parker intends to file the litigation has granted permission to Tommy L. Parker pursuant to Texas Civil Practice and Remedies Code §11.102.

It is further ORDERED that the district clerk of Randall County, Texas, shall provide a copy of this Order to the Office of Court Administration of the Texas Judicial System as provided by Texas Civil Practice and Remedies Code §11.104.

SIGNED this 22nd day of March, 2001.


DISTRICT JUDGE PRESIDING.

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A CERTIFIED COPY
ATTEST: March 27, 2001
JO CARTER
District Clerk, Randall County, Texas
By Brenda Williamson Deputy