

FILED
8:01 A.M. P.M.
SEP 10 2012
DAVID R. LLOYD
 District Clerk, Johnson County, Texas
 BY CATHERINE LASATER CLERK

CAUSE NO. C201200086

ROBERT WALTER BONNER §
 v. §
 H&K USP COMPACT, 45 CALIBER §
 SEMI AUTOMATIC PISTOL #29-005335 §
 WITH TWO MAGAZINES LOADED §
 WITH 16 ROUNDS OF AMMUNITION, §
 AND CONTAINED IN A DAY PLANNER §
 STYLE CARRYING CASE §

IN THE DISTRICT COURT
 413TH JUDICIAL DISTRICT
 JOHNSON COUNTY, TEXAS

**ORDER DETERMINING THAT PLAINTIFF IS A VEXATIOUS LITIGANT
 AND REQUIREMENT THAT PLAINTIFF FURNISH SECURITY AND DISMISSING
 SUIT WITH PREDUDICE**

On the 10 day of Sept, 2012, came on to be heard the Defendant, the State of Texas', Amended Motion for Court to Enter an Order Determining that Plaintiff is a Vexatious Litigant and Requirement that Plaintiff Furnish Security. The Plaintiff, Robert Walter Bonner, appeared by video conference. The Defendant, State of Texas, appeared by and through Paul A. Hable, Assistant District Attorney and by Bill Moore, County Attorney. The Court after considering the evidence and argument of the parties is of the opinion that the following findings of fact and order should be entered.

I.

The Court makes the following findings:

1. This Court has jurisdiction and venue is proper in Johnson County, Texas.
2. The Plaintiff in a seven-year period preceding the date the Defendant filed this its Motion For Court to enter an Order Determining that Plaintiff is a Vexatious Litigant and Requirement that Plaintiff Furnish Security under Chapter 11, Civil Practice and Remedies Code, has commenced, prosecuted, or maintained in propria persona at least five litigations other than in a 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 laws or rules of procedure.
3. The Plaintiff, after litigation has been finally determined against the plaintiff, the plaintiff repeatedly relitigates or attempts to relitigate, in propria persona, either:
 - a. the validity of the determination against the same defendant as to whom the litigation was finally determined; or

b. the cause of action, claim, or controversy, or any of the issues of fact or law determined or concluded by the final determination against the same defendant as to whom the litigation was finally determined.

4. That plaintiff filed this cause of action upon an Affidavit of Indigence under Rule 145 of the Texas Rules of Civil Practice and has judicially admitted he is an indigent person and that as such could not furnish security under Section 11.055, Texas Civil Practice and Remedies Code.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff, Robert Walter Bonner, is a vexatious litigant and that hereinafter Robert Walter Bonner is prohibited from filing in propria persona, any new litigation in any Court in this State unless the local administrative judge of the Court in which Robert Walter Bonner intends to file the litigation has granted permission for the litigation under Section 11.102, Texas Civil Practice and Remedies Code.

II.

In the above styled and numbered cause, after hearing the evidence and argument of the parties, after the review of the pleadings and pursuant to Sections 10.001 et seq. and Sections 13.001 et seq. of the Texas Civil Practice and remedies Code, the Court makes the following additional findings:

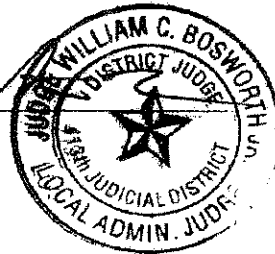
- 1. The Court finds that Plaintiff filed this litigation upon an Affidavit of Indigence and an Affidavit in Support of Inability to Pay Costs pursuant to Rule 145, Texas Rules of Civil Procedure.
 - 2. The Court finds that Plaintiff has no arguable basis in law or in fact for recovery in this cause and therefore this case is found to be a frivolous action.
 - 3. The Court finds that Plaintiff's chance of ultimate success in this cause is slight and therefore this case is found to be a frivolous action.
- The Court finds that the filing and institution of this cause was a malicious act by Plaintiff.

WEB

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above styled and number cause is hereby dismissed with prejudiced.

Signed this the 10 day of Sept, 2012.

W. Bonner
JUDGE PRESIDING



*OTS J. Clerk to serve copy on
Mr Bonner
Each Judge in Guinn Building
Co. AHJ
District AHJ
Chief Justice Tom Gray 10th Court of Appeals*