

CAUSE NO. 2008-CI-16666

ADAM E. SALAZAR	§	IN THE DISTRICT COURT OF
	§	
v.	§	285TH JUDICIAL DISTRICT
	§	
SERVICE CORPORATION	§	
INTERNATIONAL, INC.,	§	
SCI TEXAS FUNERAL SERVICES, INC.,	§	
ROBERT L. WALTRIP,	§	
THOMAS L. RYAN,	§	
CURTIS G. BRIGGS,	§	
WILLIAM D. O'BRIEN,	§	
JUDITH M. MARSHALL,	§	
ROBERT GILCRIST NEWMAN,	§	
RONALD DAVID SMITH,	§	
ROSEMARIE KANUSKY, AND	§	
FULBRIGHT & JAWORSKI, L.L.P.	§	BEXAR COUNTY, TEXAS

**ORDER GRANTING DEFENDANTS'
(1) MOTION TO DISMISS AND
(2) MOTION TO DECLARE PLAINTIFF A VEXATIOUS LITIGANT**

On the 4th day of November, 2008, the Court heard the Defendants' Motion to Dismiss, Motion to Declare Plaintiff a Vexatious Litigant, and Notice of Automatic Stay, together with any argument, evidence, responses, and replies. The Court considers the motions well taken. Accordingly, the Court makes the following findings of fact and conclusions of law:

Pursuant to Section 13.001 of the Texas Civil Practice and Remedies Code, the Court specifically finds that (1) the allegations of poverty in the affidavit of inability to pay under Rule 145 are false; and (2) the action is frivolous and malicious.

Pursuant to Section 11.054 of the Texas Civil Practice and Remedies Code, the Court specifically finds that (1) there is no reasonable probability that the pro se plaintiff will prevail in this litigation against defendants; and (2) after a litigation has been finally determined against the plaintiff, the plaintiff has repeatedly relitigated or attempted to relitigate, in propria persona, (A) the validity of the determination against the same defendant as to whom the litigation was finally determined; and (B) 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 whom the litigation was finally determined.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Defendants' Motion to Dismiss is GRANTED. Plaintiff's pro se suit is dismissed with prejudice.

IT IS ALSO ORDERED, ADJUDGED, AND DECREED that Defendants' Motion to Declare Plaintiff a Vexatious Litigant is GRANTED. Adam E. Salazar [REDACTED] is hereby declared a vexatious litigant.

IT IS ORDERED, ADJUDGED, AND DECREED that Adam E. Salazar [REDACTED], is prohibited from filing, in propria persona any new litigation in a court of this State unless the local administrative judge of the court in which Adam E. Salazar [REDACTED] intends to file the litigation grants permission to Adam E. Salazar [REDACTED] to file the litigation.

The District Clerk of Bexar County is ORDERED to file a copy of this order with the Office of Court Administration of the Texas Judicial System pursuant to Section 11.104 of the Texas Civil Practice and Remedies Code.

SIGNED this 4th day of November, 2008.

APPROVED AS TO FORM:

FULBRIGHT & JAWORSKI L.L.P.


JUDGE PRESIDING

ADAM E. SALAZAR

By: _____

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By: _____

Adam E. Salazar
[REDACTED]
Pro Se Plaintiff