

NO. 2006-39052

RALPH O. DOUGLAS,
PLAINTIFF

vs.

JIMMIE W. JONES AND
CHRISTINE JONES, DEFENDANTS

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

127TH JUDICIAL DISTRICT

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VEXAO

FILED

Theresa Chang
District Clerk

MAY 23 2008

Time: Harris County, Texas

By Deputy

ORDER

In August of 2000, a jury convicted Ralph O. Douglas (Douglas), the plaintiff in this action, of theft of property in the aggregate amount of between \$1000, and \$200,000 and assessed punishment, enhanced by a prior theft, at life in prison and a \$10,000 fine. The Fourteenth Court of Appeals affirmed the judgment of the trial court on August 29, 2002 and the Court of Criminal Appeals denied Mr. Douglas's petition for review.¹ Douglas's victims were Linda Porter, Hattie Mae Willis, Vernon King, and Jimmie and Christine Jones, the defendants in this case.

According to the record in the criminal case, Mr. Jones, a gentleman with an eight-grade education, was looking for a lender to help him avoid foreclosure of his property [REDACTED]. He contacted Ralph O. Douglas who told Mr. Jones that he could assist him in obtaining a loan. Mr. Jones testified at trial that he never gave his house to Mr. Douglas and informed him that he did not want to sell his house. While assisting Mr. Jones to fill out several "loan" forms, Mr. Douglas had Mr. Jones sign a warranty deed. Mr. Jones later testified that he did not know what a warranty deed was when he signed the deed, and he would not have signed the deed if he had understood that Douglas intended to secure a loan in his own name using the Joneses' house as collateral. Subsequently, Douglas personally attempted to evict Jones and later deeded the property to another individual.

This court first became involved in Mr. Douglas's dispute with the Joneses in August of 2001, when, as an inmate in the Texas Department of Criminal Justice - Institutional Division, he filed a *pro se in forma pauperis* action against Jimmie and

ORDER

Christine Jones in trial court cause number 2001-43967. He subsequently filed a second case against the Joneses, 2001-47586 on September 17, 2001, and the Court consolidated the cases. Douglas' petition indicated that he was suing the Joneses for breach of contract and fraud regarding the property [REDACTED]. After determining that the United States Bankruptcy Court had already considered the contested issues between the litigants, this Court "dismissed the cases with prejudice as to any further suit by Mr. Douglas against Jimmie W. And Christine Douglas" on August 12, 2004. The judgment taxed all costs against Douglas.

On January 13, 2005, the Fourteenth Court of Appeals dismissed Mr. Douglas's appeal for want of prosecution.² Not to be deterred, Mr. Douglas filed this suit against Jimmie and Christine Jones, on June 19, 2006.

It has come to the Court's attention that, since his conviction, Mr. Douglas has also sued his other victims – Linda Porter, Hattie Mae Willis, and Vernon King, multiple times. He has also sued the title company, American Title Company, and the lending institutions he involved in his schemes, Washington Mutual, Anson Financial, Inc., Quaker Home Financial Services, Bank of America, and Unity National Bank.³ According to Westlaw, Mr. Douglas has filed at least nineteen appeals and mandamuses involving his victims and these assorted lending institutions since 2003. Once he became an inmate, Douglas has continuously filed malicious, frivolous law suits against his victims, which have been repeatedly determined to have no basis in law. The Court cannot allow litigants to abuse the judicial system and harass their victims from the security of a prison cell. The Court **FINDS** that Douglas is such a litigant and his conduct is subject to review and action by this Court.

Chapters 11 and 14 of the Civil Practice and Remedies Code, provide this Court with the authority to prevent Mr. Douglas from using the judiciary to further retaliate against and harass his victims.

**ORDER
CHAPTER 14**

Chapter 14 of the Texas Civil Practice and Remedies Code governs suits brought by inmates in district courts if the inmate files an affidavit of indigency, or an unsworn declaration of inability to pay costs. After reviewing the controlling authorities, the

ORDER

pleadings on file and the Court's record, the Court **FINDS** that Ralph O. Douglas is currently an inmate who has filed an affidavit of indigency in this proceeding. The Court **FINDS** that no hearing is necessary to determine whether Mr. Douglas's claims should be dismissed.

The Court **FURTHER FINDS** that Mr. Douglas's suit is malicious, frivolous, without basis in law and was been brought for the purpose of harassing the defendants.

Because his claim is frivolous, malicious, and has no basis in law or fact, the Court **ORDERS** Mr. Douglas's cause of action **DISMISSED**.

The Court **ALSO ORDERS** the Clerk to send a certified copy of this Order to the following individuals:

Gary L. Johnson
Executive Director, TDCJ
P.O. Box 13084-Capitol Station
Austin, Texas 78711-3084

Rissie Owens, Chair
Texas Board of Pardons and Paroles
P.O. Box 13401
Austin, TX 78711-3401

ORDER CHAPTER 11

Chapter 11 of the Texas Civil Practice and Remedies Code governs suits brought by vexatious litigants. The Court may, on defendant's motion or *sua sponte*, designate a party as a vexatious litigant. TEX. CIV. PRAC. REM. CODE § 11.101.

A party may be declared a vexatious litigant if there **is not** a reasonable probability that he will prevail in litigation **and** the party has a history of filing or repeatedly re-litigating unsuccessful or frivolous suits. TEX. CIV. PRAC. REM. CODE § 11.054.

As discussed above, the 179th District Court, when convicting him of theft, first determined that Ralph O. Douglas did not own the property [REDACTED] and that any fraud in the transaction was attributable to Douglas, not the Joneses. Later, the U.S. Bankruptcy Court determined that the Joneses owned the property and that Douglas had no valid claim. Finally, this Court issued its own final judgment in this matter on August 12, 2004.

ORDER

Accordingly, after reviewing the record and all the pleadings in the case, this Court **FINDS** that there **is not** a reasonable probability that Ralph O. Douglas will prevail.

The Court also **FINDS** that Ralph O. Douglas has commenced at least five *pro se* actions (excluding actions in small claims court) that have been finally determined against him; and / or permitted to remain pending for at least two years without having been brought to trial; and / or determined by a trial or appellate court to be frivolous under state or federal law. (See footnotes 1, 2 and 3)

The Court also **FINDS** that Ralph O. Douglas is:

- 1) re-litigating or is attempting to re-litigate *pro se*, the validity of the determination against him in favor of Jimmie W. and Christine Jones; and
- 2) attempting to relitigate the cause of action and /or any issue of fact or law against Jimmie W. and Christine Jones.

The Court **FURTHER FINDS** that Ralph O. Douglas has previously been declared a vexatious litigant by a state court in an action based on the same or substantially similar facts.

After reviewing the record and considering the motions, the court **FINDS RALPH O. DOUGLAS** is a vexatious litigant.

The Court **ORDERS** that **RALPH O. DOUGLAS** is prohibited from filing *in propria persona* any new litigation in Harris County, Texas without first being granted permission to file by the local administrative judge. Such permission shall be granted only if the litigation appears to have merit and is not filed for purposes of harassment or delay; such permission may also be conditioned on the furnishing of a security.

RALPH O. DOUGLAS is hereby **NOTIFIED** that he is subject to punishment for contempt if he fails to obey this order.

Signed: May 23, 2008.

Shawshford
Judge Presiding

ORDER

- ¹ *Douglas v. State*, No. 14-00-1226-CR, 2002 WL 1998163 (Tex. App. – Houston [14th Dist.] Aug. 29, 2002, pet. denied).
- ² *Douglas v. Jones*, No. 14-04-0112-CV, 2005 WL 6899 (Tex. App. – Houston [14th Dist.] Jan. 13, 2004, no pet.) (not designated for publication).
- ³ *Douglas v. Willis*, No. 14-04-01101-CV, 2005 WL 171458 (Tex. App.—Houston [14th dist.] Jan. 27, 2005, no pet.) (not designated for publication).
- Douglas v. Willis*, No. 01-03-01148-CV, 2004 WL 305974 (Tex. App.—Houston [1st dist.] Feb. 17, 2004, no pet.) (not designated for publication).
- Douglas v. Quaker Home Financial Services*, No. 14-04-00362-CV, 2004 WL 1688281 (Tex. App.—Houston [14th dist.] July 29, 2004, no pet.) (not designated for publication).
- Douglas v. Wash. Mutual Bank*, No. 14-05-00282-CV, 2006 WL 2862115 (Tex. App.—Houston [14th dist.] Oct. 10, 2006, no pet.) (not designated for publication).
- Douglas v. Wash. Mutual Bank*, No. 14-05-00282-CV, 2005 WL 2420531 (Tex. App.—Houston [14th dist.] Aug. 25, 2005, no pet.) (not designated for publication).
- Douglas v. Porter*, No. 14-03-00132-CV, 2003 WL 21193041 (Tex. App.—Houston [14th dist.] May 22, 2003, no pet.) (not designated for publication).
- Douglas v. Porter*, No. 13-03-632-CV, 2004 WL 352700 (Tex. App.—Corpus Christi Feb. 26, 2004, no pet.) (not designated for publication).
- Douglas v. Porter*, No. 01-01-00747-CV, 2002 WL 31682357 (Tex. App.—Houston [1st dist.] Nov. 27, 2002, no pet.) (not designated for publication).
- Douglas v. King*, No. 14-04-00103, 2004 WL 908934 (Tex. App.—Houston [14th dist.] Apr. 29, 2004, no pet.) (not designated for publication).
- Douglas v. Anson Fin., Inc.*, No. 2-05-283-CV, 2006 WL 820402 (Tex. App.—Ft. Worth Mar. 30, 2006, no pet.) (not designated for publication).
- Douglas v. American Title Co.*, 196 S.W.3d 876, 880 (Tex. App.—Houston [1st dist.] 2006).
- Douglas v. Unity Nat'l. Bank*, No. 14-05-00112-CV, 2005 WL 728246 (Tex. App.—Houston [14th dist.] Mar. 31, 2005, no pet.) (not designated for publication).
- Douglas v. American Title Co.*, No. 01-04-00669-CV, 2004 WL 2110558 (Tex. App.—Houston [1st dist.] Sept. 23, 2004, no pet.) (not designated for publication).
- Douglas v. American Title Co.*, No. 01-04-00265-CV, 2005 WL 568290 (Tex. App.—Houston [1st dist.] Mar. 10, 2005, no pet.) (not designated for publication).
- Douglas v. American Title Co.*, No. 08-04-00222-CV, 2004 WL 2407394 (Tex. App.—El Paso Oct. 21, 2004, no pet.) (not designated for publication).
- Douglas v. Bank of America*, No. 05-04-01202-CV, 2005 WL 341695 (Tex. App.—Dallas Feb. 14, 2005, no pet.) (not designated for publication).
- Douglas v. Alamo Title Co.*, No. 14-04-01107-CV, 2005 WL 171477 (Tex. App.—Houston [14th dist.] Jan. 27, 2005, no pet.) (not designated for publication).
- In re Ralph O. Douglas*, No. 14-06-00541-CV, 2006 WL 1912745 (Tex. App.—Houston [14th dist.] July 13, 2006, no pet.) (not designated for publication).
- In re Ralph O. Douglas*, No. 01-06-00027-CV, 2006 WL 2076328 (Tex. App.—Houston [1st dist.] July 13, 2006, no pet.) (not designated for publication).
- In re Ralph O. Douglas*, No. 01-03-00356-CV, 2003 WL 22682448 (Tex. App.—Houston [1st dist.] Nov. 13, 2003, no pet.) (not designated for publication).

ORDER



I, Theresa Chang, District Clerk of Harris County, Texas, certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date
Witness my official hand and seal of office
this May 29, 2008

Certified Document Number: 38001824 Total Pages: 5

THERESA CHANG, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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