

CAUSE NO. DC-20-09073

ALVESTER COLEMAN,	§	IN THE DISTRICT COURT
	§	
Plaintiff	§	
	§	
v.	§	
	§	
VERADO ENERGY, INC., BP	§	
AMERICA, INC., PETRO-HUNT, LLC,	§	
XTO ENERGY, INC., ENERGY	§	
FUTURES HOLDING CORP., RUSK	§	14TH JUDICIAL DISTRICT
COUNTY ELECTRIC COOPERATIVE,	§	
INC., CCI EAST TEXAS UPSTREAM,	§	
LLC, UNION PACIFIC RAILROAD	§	
COMPANY, JOHN DOES 1-100, OR	§	
ANY OTHER PERSON, KNOWN OR	§	
UNKNOWN, AND DALLAS COUNTY,	§	
TEXAS,	§	
	§	
Defendants.	§	DALLAS COUNTY. TEXAS

**ORDER GRANTING MOTION TO DECLARE
ALVESTER COLEMAN A VEXATIOUS LITIGANT**

Before the Court is Defendant, Petro-Hunt, LLC’s (“Petro-Hunt” or “Defendant”) Motion to Declare Vexatious Litigant (the “Motion”) as to Plaintiff Alvester Coleman.

Upon consideration of the Motion, the Response, the Reply, the authorities cited therein, the evidence submitted at hearing, the arguments of counsel and the parties, and the file in this case, the Court

FINDS this case is a “litigation” and Alvester Coleman is a “Plaintiff” for purposes of Texas Civil Practice and Remedies Code Chapter 11; the Court further

FINDS that the Motion was timely filed and that all the notices and time deadlines required by the Texas Civil Practice and Remedies Code Chapter 11 have been met or exceeded in this matter; the Court further

FINDS there is no reasonable probability that Alvester Coleman will prevail in the litigation; the Court further

FINDS that Alvester Coleman commenced, prosecuted, or maintained more than five civil actions commenced, maintained, or pending the state and federal courts as a *pro se* litigant in the last seven years that were either (i) finally determined adversely to the him, or (ii) were permitted to remain pending at least two years without having been brought to trial or hearing; the Court further

FINDS that Alvester Coleman has been declared to a vexatious litigant by a federal court in an action or proceeding based on the same or substantially similar facts, transition, or occurrence; the Court further

FINDS that Alvester Coleman meets the criteria for being determined a vexatious litigant under Texas Civil Practice and Remedies Code Chapter 11; the Court further

FINDS that a pre-filing order, pursuant to Texas Civil Practice and Remedies Code Chapter 11, should be issued against Alvester Coleman, prohibiting him from initiation, *pro se*, any new litigation in a court to which this Order applies without first obtaining written permission from the local administrative judge as Ordered herein.

Accordingly, it is hereby

ORDERED, ADJUDGED, AND DECREED that Alvester Coleman is a vexatious litigant for all purposes; it is further

ORDERED, ADJUDGED, AND DECREED that all proceedings in this matter are hereby stayed; it is further

ORDERED, ADJUDGED, AND DECREED Alvester Coleman is Ordered to provide security to Defendant Petro-Hunt, LLC by posting a bond with this Court in the amount of

\$ _____ to cover the reasonable expenses, including costs and attorneys' fees, incurred in or in connection with this litigation commenced, caused to be commenced, maintained, or caused to be maintained by Alvester Coleman, such security for the sole benefit of Defendant Petro-Hunt, LLC, to which it has recourse if the litigation is later decided against Alvester Coleman on the merits. This bond amount does not establish the attorneys' fees to be awarded in the event the litigation is later decided against Alvester Coleman, but is intended by the Court to be the bond amount only. In the event of a dismissal, the Court will set and assess costs and attorneys' fees separately if they are more than bond amount; it is further

ORDERED, ADJUDGED, AND DECREED that before any bond provided by Alvester Coleman shall be accepted, and application for the approval of said bond shall be file with notice to Defendant Petro-Hunt, LLC, and at hearing upon such application, the Court shall determine the adequacy of the undertaking; it is further

ORDERED, ADJUDGED, AND DECREED that if Alvester Coleman fails to post said bond within thirty (30) calendar days of the signing of this Order, then this case will be dismissed with prejudice in its entirety without further notice to Alvester Coleman; it is further

ORDERED, ADJUDGED, AND DECREED that a prefiling order be and hereby is issued against Alvester Coleman, and Alvester Coleman is barred and prohibited from filing, *in propria persona*, any new litigation in any court in this State to which this Order applies without first obtaining the written permission of a local administrative judge in the jurisdiction where he attempts to file such litigation strictly in accordance with Texas Civil Practice and Remedies Code Chapter 11. The local administrative judge may condition prefiling permission on the furnishing of security for the benefit of defendant(s) or other conditions as provided by Chapter 11 of the Texas Civil Practice and Remedies Code; it is further

The Above styled and referenced case is Dismissed
with Prejudice.


ORDERED, ADJUDGED, AND DECREED that if Alvester Coleman violates this
prefiling Order, he will be subject to contempt of court, in addition to the other remedies provided
by the Texas Civil Practice and Remedies Code; it is further

ORDERED, ADJUDGED, AND DECREED that the Clerk of the Court, as required by
Texas Civil Practice and Remedies Code Chapter 11, is directed to notify the Office of Court
Administration of the Texas Judicial System of this Court's declaration of Alvester Coleman as a
vexatious litigant by delivering a copy of this order to the Office of Court Administration OCA,
not later than the thirtieth (30th) day after this Order is entered.

So Ordered.

This is a Final Order

Signed: 6 August 2020



Honorable Judge Presiding