

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS
388TH JUDICIAL DISTRICT

IN THE MATTER OF §
THE MARRIAGE OF §
VERONICA CHAVEZ § **CAUSE NO. 2012DCM10912**
AND §
MARK VARA §

ORDER DECLARING VERONICA RAE VARA A VEXATIOUS LITIGANT
ORDER PROHIBITING VERONICA RAE VARA FROM FILING ANY
FURTHER LAWSUITS OR PLEADINGS WITHOUT PERMISSION OF THE
LOCAL ADMINISTRATIVE JUDGE

Veronica Rae Vara’s (Veronica) history of vexatious litigation dates back to November 14, 2012. On Mark Vara’s motion, the 261st District Court of Travis County in cause No DIFM-07-000759 declared Veronica to be a vexatious litigant. The court found that there was no probability that Veronica would prevail in the litigation then pending before the court and that prior litigation on the matter had already been determined against her. On appeal, the 3rd Court of Appeals reversed the vexatious litigant finding because the 261st District Court lacked jurisdiction for making such finding due to a mandatory transfer of the case to El Paso County.

The 3rd Court of Appeals remanded Mark Vara’s motion to declare Veronica Rae Vara a vexatious litigant for consideration by the transferee trial court in El Paso County. (*See Vara, No 03-12-00844-CV Tex. App. Jul 23, 2014*) The claims raised before the 261st, the basis of Mark Vara’s Motion, were ultimately heard in the 383rd, thus rendering Mark Vara’s motion to declare Veronica a vexatious litigant moot.

El Paso County Litigation

Veronica has repeatedly filed litigation over the marital property addressed in the 2008 Original Decree of Divorce. Trial courts have considered her claims and have found them to be

groundless under the law and have dismissed her pleadings with prejudice. The trial court's rulings have been appealed and those rulings have been affirmed by the 8th Court of Appeals (*See Vara, 558 S.W. 782 and Vara, 645 S.W. 818*).

The court finds that Veronica is barred by the doctrines of collateral estoppel and *res judicata* from filing any litigation relating to marital property provisions of the Original Decree of Divorce. The court finds that there is no reasonable probability that Veronica will prevail in any pending litigation relating to those matters against Mark Vara. The issues Veronica has raised in her 3rd Amended Petition have been determined by the trial courts to be groundless under the law. The 8th Court of Appeals has affirmed the court's rulings. (See *645 S.W. 3d 782*)

At the hearing on the 2nd Amended Petition, Veronica was orally cautioned by the court and directed not to file any future challenges to provisions of the marital property.

Based on the pleadings and orders in this case and on the court's own motion the court now finds that Veronica is and should be declared a vexatious litigant. The Court finds that she should be prohibited from filing any litigation relating to the property matters of the Original Decree of Divorce as authorized by §11.054 Texas Civil Practice & Remedies Code.

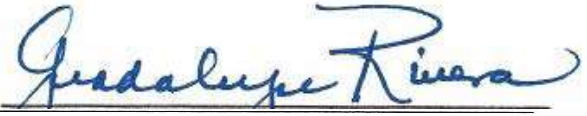
IT IS ORDERED that Veronica Rae Vara be and is hereby declared a vexatious litigant pursuant to §11.054 Texas Civil Practice and Remedies Code.

IT IS FURTHER ORDERED that Veronica Rae Vara be and is hereby prohibited from filing in *propria persona* any new litigation related to the matters relating to property division of the Original Decree of Divorce in a court of this State unless she first obtains an order from the local administrative judge permitting the filing, as authorized by §11.102 of the Texas Civil Practice and Remedies Code.

IT IS ORDERED that the District Clerk of El Paso County shall provide the Office of Court Administration of Texas Judicial System with a copy of this pre-filing order declaring Veronica Rae Vara to be a vexatious litigant and prohibiting the filing of new litigation as described herein, as authorized by §11.104 of the Texas Civil Practice and Remedies Code.

WARNING: PURSUANT TO SECTION 11.101 OF THE TEXAS CIVIL PRACTICE AND REMEDIES CODE, ANY PERSON WHO DISOBEYS THIS ORDER IS SUBJECT TO BEING FOUND IN CONTEMPT OF COURT.

Signed this 22nd day of June, 2023.



Guadalupe Rivera

Justice Guadalupe Rivera

Sitting by Assignment