CAUSE No. 05-02754-K

EVELYN F. DANIEL,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
	§	DALLAS COUNTY, TEXAS
VS.	§	
	§	
MAYOR LAURIE MILLER, CITY	§	
OF DALLAS AND DALLAS	§	
COUNTY COMMISSIONER	§	
JOHN WILEY PRICE,	§	
Defendants.	§	
	§	192 ND JUDICIAL DISTRICT

ORDER FINDING PLAINTIFF EVELYN F. DANIEL A VEXATIOUS LITIGANT

On May 2, 2005, came on to be heard Defendant Dallas County Commissioner John Wiley Price's Motion to Declare Plaintiff a Vexatious Litigant and Request for Security.

After consideration of Defendant's Motion, the pleadings on file, and the authorities and argument of counsel, the court GRANTS the Motion and finds as follows:

- 1. Defendant has shown that there is not a reasonable probability that the Plaintiff will prevail in this litigation;
- Plaintiff has commenced, prosecuted, or maintained in propria persona thirteen
 litigations within the seven-year period immediately preceding the date the
 Defendant in this case made this motion; and
- 3. All thirteen cases have been determined adversely to the Plaintiff.
- 4. Accordingly, this Court FINDS that this Plaintiff is a vexatious litigant as that term is described in CPRC §11.054.

This Court ORDERS Plaintiff to furnish security in the amount of \$10,000.00 for the benefit of the Defendant. This security must be furnished on or before June 9, 2005. This security is an undertaking by the Plaintiff to assure payment to the moving Defendant of the Defendant's reasonable expenses incurred in or in connection with this litigation, including costs and attorney's fees.

This Court shall dismiss this case if Plaintiff does not furnish the security ordered by this Court within the time set by this Order.

The Court PROHIBITS Plaintiff from filing, in propria persona, a new litigation in a court in this state unless the local administrative judge of the court in which Plaintiff intends to file the litigation has granted permission to Plaintiff to do so pursuant to CPRC §11.102.

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IT IS SO ORDERED.

SIGNED on May 9, 2005.

PRESIDING JUDGE