

NO. 13-CV-1328

JOE WALTERS JR.

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§

V.

HOMETOWN BANK N.A.

2014 JAN -2 PM 3:08  
IN THE DISTRICT COURT OF

GALVESTON COUNTY, TEXAS

405<sup>th</sup> JUDICIAL DISTRICT

**ORDER GRANTING HOMETOWN BANK N.A.'S MOTION TO HAVE PLAINTIFF JOE WALTERS DETERMINED TO BE A VEXATIOUS LITIGANT**

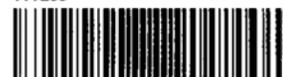
On this day, came to be considered, Defendant Hometown Bank N.A.'s Motion to have Plaintiff Joe Walters, Jr. determined to be a vexatious litigant in accordance with Section 11.054 of the Texas Civil Practice and Remedies Code.

The Court, after considering the motion, the pleadings on file, the arguments of counsel, and taking judicial notice of the requested pleadings, FINDS that there is not a reasonable probability that Plaintiff will prevail in this action and that Plaintiff repeatedly relitigates, or attempts to relitigate, pro se either: (A) the validity of the determination against the same defendant as to whom the litigation was finally determined; or (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 Defendant Hometown's motion to have Plaintiff Joe Walters, Jr determined to be a vexatious litigant is in all things GRANTED.

It is further, ORDERED, ADJUDGED and DECREED that Plaintiff Joe Walters, Jr is determined to be vexatious litigant in accordance with Texas Civil Practice & Remedies Code § 11.054.

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DCORDER  
Order  
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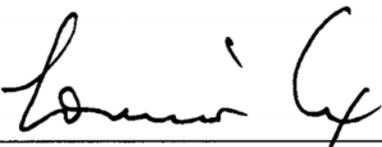


It is further, ORDERED, ADJUDGED and DECREED that in accordance with Texas Civil Practice & Remedies Code § 11.055, Plaintiff Joe Walters, Jr. is to post security in the amount of \$10,000.00 (TEN THOUSAND DOLLARS) no later than 14 days after the execution of this order, for the benefit of Defendant Hometown to assure payment of Defendant's reasonable expenses incurred in the case, including costs and attorney's fees.

It is further, ORDERED, ADJUDGED and DECREED that in accordance with Texas Civil Practice & Remedies Code § 11.056, Plaintiff Joe Walters, Jr.'s failure to tender the foregoing security within 14 days after the execution of this order will result in the automatic dismissal of all of Plaintiff's causes of action with prejudice.

It is further, ORDERED, ADJUDGED and DECREED that pursuant to Texas Civil Practice & Remedies Code § 11.101, Plaintiff Joe Walters, Jr. is prohibited from filing pro se, new litigation in a court in the State of Texas without first obtaining permission from the appropriate local administrative judge as described by Texas Civil Practice & Remedies Code § 11.102(a). Pursuant to Texas Civil Practice & Remedies Code § 11.101(b) a failure of Plaintiff to adhere to such order is subject to contempt.

SIGNED this 2 day of January, 2014.

  
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HONORABLE JUDGE COX