

CAUSE NO. D-1-GN-21-002671

AUTHOR J. MANNING, II, and
GRAFFICS KNIGHTS, LLC,

Plaintiff,

v.

GENERAL MOTORS LLC,

Defendant.

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IN THE DISTRICT COURT

250TH DISTRICT COURT

TRAVIS COUNTY, TEXAS

**ORDER ON DEFENDANT GENERAL MOTORS LLC'S MOTION TO DISMISS
UNDER RULE 91A, MOTION FOR SANCTIONS, MOTION FOR DECLARATION
THAT PLAINTIFF IS A VEXATIOUS LITIGANT OR, IN THE ALTERNATIVE,
SPECIAL EXCEPTIONS AND GENERAL DENIAL**

Having considered Defendant General Motors LLC's Motion To Dismiss Under Rule 91a, Motion For Sanctions, Motion for Declaration that Plaintiff is a Vexatious Litigant or, in the Alternative, Special Exceptions and General Denial ("Defendant's Motion"), Plaintiff Author J. Manning, II's response, the evidence, the pleadings and arguments of the parties, the Court hereby **GRANTS** Defendant's Motion to Dismiss and Motion for Declaration that Plaintiff is a Vexatious Litigant.

With respect to the Motion to Declare Author J. Manning, II a vexatious litigant, the Court finds as follows:

- (a) There is not a reasonable probability that Manning will prevail in this suit against General Motors;
- (b) That Manning, in the seven-year period immediately prior to the filing of Defendant's Motion, has commenced, prosecuted, or maintained at least five lawsuits as a pro se litigant other than in small claims court that have been finally determined adversely to Manning, permitted to remain pending at least two years without having been brought

to trial or hearing, or determined by a trial or appellate court to be frivolous or groundless under state or federal laws or rules of procedure.

The Court **ORDERS** that this action and all of Plaintiff Author J. Manning, II's claims are hereby dismissed with prejudice pursuant to Texas Rule of Civil Procedure Rule 91a.

The Court **FURTHER ORDERS** that all of Plaintiff Graffics Knights, LLC's claims are dismissed with prejudice pursuant to Texas Rule of Civil Procedure Rule 91a.

The Court **FINDS and DECLARES**, pursuant to Texas Civil Practice & Remedies Code § 11.054, Plaintiff Author J. Manning, II, a **VEXATIOUS LITIGANT**, and orders as follows:

1. Plaintiff Author J. Manning, II must not file as a *pro se* party any new litigation in a court in Texas against Defendant General Motors LLC, including any of its affiliates, agents, directors, officers, or employees without first obtaining written permission from the appropriate local administrative judge in the jurisdiction where Manning attempts to file such litigation as required by Texas Civil Practice & Remedies Code § 11.102(a).
2. As required by Texas Civil Practice & Remedies Code § 11.104, the court clerk will provide a copy of this order to the Office of Court Administration of the Texas Judicial System and that Author J. Manning, II be placed on the state-wide list of vexatious litigants.
3. IT IS ORDERED THAT a clerk of a court may not file a litigation, original proceeding, appeal, or other claim presented, *pro se*, by a vexatious litigant subject to a pre-filing order under Tex. Civ. Prac. & Rem. Code § 11.101 unless the litigant obtains an order from the appropriate local Administrative Judge described by Tex. Civ. Prac. & Rem. Code § 11.102(a) permitting the filing.

This is a final judgment, having disposed of all parties and all claims.

Entered this 22nd day of December, 2022.



Honorable Jessica Mangrum