

CAUSE NO. 493-03159-2026

SHEREEF KAMEL,

Plaintiff,

v.

SANDY WILLBANKS, LINDSAY
ZACHARKO, OSCAR MIRABAL,
SOPHIA LEMOS, INDIVIDUALLY
and as TRUSTEE OF THE JULCRIELI
TRUST, MIRABAL HOLDINGS LLC,
and LAUREN FRIESENHAHN,

Defendants.

§ IN THE DISTRICT COURT

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493D JUDICIAL DISTRICT

COLLIN COUNTY, TEXAS

Filed: 9/2/2026 4:18 PM
Michael Gould
District Clerk
Collin County, Texas
By Sarah Beasley Deputy
Envelope ID: 119456518

**ORDER GRANTING DEFENDANT LINDSAY ZACHARKO'S MOTION TO DECLARE
PLAINTIFF SHEREEF KAMEL A VEXATIOUS LITIGANT**

On August 3, 2026, the Court heard Defendant Lindsay Zacharko's Motion to Declare Plaintiff Shereef Kamel a Vexatious Litigant, as amended and supplemented (the "Motion"). Having considered the Motion, Plaintiff's Objection to and Motion to Strike Defendant's Supplement, the evidence, the arguments of the parties, and the applicable law, the Court FINDS that the Motion is well-taken and should be **GRANTED**.

Under Sections 11.051 and 11.054 of the Texas Civil Practice and Remedies Code, a court may find a plaintiff a vexatious litigant if the defendant shows (a) that there is not a reasonable probability that the plaintiff will prevail in the litigation against the defendant, and (b) that the plaintiff satisfies at least one of the criteria set forth in Section 11.054. *See* Tex. Civ. Prac. & Rem. Code §§ 11.051, 11.054.

The Court FINDS that there is not a reasonable probability that Plaintiff will prevail in the litigation against Defendant Zacharko, and that, within the seven years preceding the Motion,

Plaintiff has commenced, prosecuted, or maintained at least five litigations, other than in a small claims court, that have been finally determined adversely to him or determined to be frivolous or groundless. See Tex. Civ. Prac. & Rem. Code §§ 11.051, 11.054. Specifically, the Court FINDS the following six (6) qualifying litigations:

a. **Cause No. 493-52932-2025, Shereef Kamel v. Lindsay Zacharko.**

Plaintiff's Application for a Protective Order was denied. The court found the Application to be groundless, brought in bad faith, and brought solely for the purpose of harassment. The determination was affirmed on appeal. This litigation was finally determined adversely to Plaintiff and was determined to be groundless.

b. **Cause No. 493-03906-2025, Shereef Kamel v. Lindsay Zacharko, et al.**

Plaintiff's claims were dismissed pursuant to Texas Rule of Civil Procedure 91a upon the court's determination that the claims had no basis in law or fact. This litigation was determined to be frivolous or groundless.

c. **Cause No. 493-04736-2024 (formerly Cause No. 429-04736-2024), Lindsay Zacharko and Shereef Kamel.** Plaintiff asserted nine counterclaims against Zacharko. The court granted summary judgment against Plaintiff on all counterclaims, finding that he failed to produce competent summary-judgment evidence and that no genuine issues of material fact existed. Counterclaims asserted pro se count as a qualifying litigation. See *1901 NW 28th St. Trust v. Lillian Wilson, LLC*, 535 S.W.3d 96, 102 (Tex. App.—Fort Worth 2017, no pet.). This litigation was determined to be groundless.

d. **Cause No. 296-03630-2023, Shereef Nagy Kamel v. Prosper-Parkside Homeowners Association, Inc., et al.** After Plaintiff's counsel withdrew, Plaintiff continued to prosecute the case in propria persona. The court granted Defendants' Motion to Dismiss and dismissed all of Plaintiff's claims. This litigation was finally determined adversely to Plaintiff.

e. **Cause No. 296-05175-2024, Shereef Kamel v. Brady Small.** Plaintiff filed and maintained this litigation in propria persona, and the case was dismissed for want of prosecution. This litigation was finally determined adversely to Plaintiff.

f. **Cause No. 05-26-00578-CV, In re Shereef Kamel (Fifth Court of Appeals).**¹ Plaintiff commenced an original mandamus proceeding in the Court of Appeals for the Fifth District of Texas at Dallas, arising from Trial Court Cause No. PB1-0683-2024. On July 20, 2026, the Court of Appeals denied the petition for writ of mandamus. An original mandamus proceeding commences a separate civil action in the appellate court and, when denied, counts as a separate litigation finally determined adversely to the relator. *See Retzlaff v. GoAmerica Commc'ns Corp.*, 356 S.W.3d 689, 700 (Tex. App.—El Paso 2011, pet. denied). This litigation was finally determined adversely to Plaintiff.

The Court therefore **FINDS** that Plaintiff Shereef Kamel is a **VEXATIOUS LITIGANT**.

¹ Even if the mandamus proceeding in Cause No. 05-26-00578-CV were not counted, the remaining five (5) litigations independently satisfy the requirement of at least five qualifying litigations under Section 11.054(1). The Court's determination that Plaintiff is a vexatious litigant therefore does not depend upon the mandamus proceeding.

IT IS THEREFORE ORDERED as follows:

1. Plaintiff's Objection to and Motion to Strike Defendant's Supplement is OVERRULED and DENIED.
2. Plaintiff Shereef Kamel is DECLARED a **VEXATIOUS LITIGANT** pursuant to Section 11.054.
3. Plaintiff shall furnish security in the amount of \$50,000.00 within thirty (30) days of the date this Order is signed, pursuant to Section 11.055. If Plaintiff fails to do so, the Court shall dismiss the litigation as to Defendant Zacharko, pursuant to Section 11.056.
4. Plaintiff is PROHIBITED from filing, pro se, any new litigation in a court of this state without first obtaining permission of the appropriate local administrative judge, pursuant to Sections 11.101 and 11.102. The Clerk shall provide a copy of this prefiling Order to the Office of Court Administration pursuant to Section 11.104.
5. All other relief not expressly granted is DENIED.

SIGNED this 3rd day of August, 2026.

Eun A. Nowell
JUDGE PRESIDING