

No. 296-51836-98

IN THE INTEREST OF

BRANNAN FOSTER SCHLITTLER

A CHILD

§
§
§
§
§
§
§

IN THE DISTRICT COURT

296TH JUDICIAL DISTRICT

COLLIN COUNTY, TEXAS

**SUA SPONTE ORDER OF DISMISSAL AND
ORDER DECLARING PLAINTIFF A VEXATIOUS LITIGANT**

On this date, the Court considered the Petitioner's Original Petition to Modify the Parent-Child Relationship and Request for Production filed June 12, 2012. After considering the pleadings on file and the arguments of the Petitioner, the Court has determined the motion should be dismissed with prejudice.

Additionally, on this date, the Court *sua sponte* declares Mr. David Charles Schlittler, the Plaintiff in this cause, a vexatious litigant under Chapter 11 of the Texas Civil Practice & Remedies Code. In connection therewith, the Court finds that after a litigation had been finally determined against him, Plaintiff Schlittler has repeatedly relitigated, or attempted to relitigate, *in propria persona*, identical issues of fact and law determined or concluded by the final determination against the same Defendant as to whom the litigation was finally determined, per the standard of Texas Civil Practice & Remedies Code Sec. 11.054(2)(B).

IT IS THEREFORE ORDERED that:

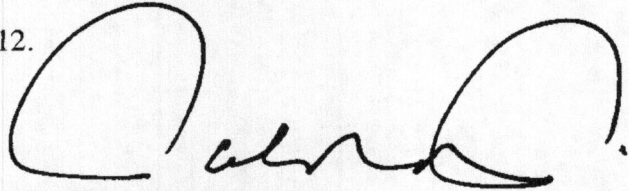
1. Petitioner's Motion to Modify is DISMISSED with prejudice, and all costs are taxed against Petitioner.
2. Petitioner David C. Schlittler is a VEXATIOUS LITIGANT under Chapter 11 of the Texas Civil Practice & Remedies Code.

SUA SPONTE ORDER TO DISMISS AND DECLARATION OF VEXATIOUS LITIGANT
In re Schlittler, No. 296-35836-98

Page 1

3. Petitioner David C. Schlittler, having been declared a vexatious litigant and pursuant to Sec. 11.101 of the Texas Civil Practice & Remedies Code, is hereby PROHIBITED from filing a new litigation in a court of this State unless the local administrative judge of the court in which he intends to file the litigation first grants permission to do so, pursuant to Sec. 11.102 of the Texas Civil Practice & Remedies Code.

SIGNED on July 10, 2012.



JUDGE PRESIDING