

ORIGINAL

CAUSE NO. 2008-10094-16

ROBERT T. "BOB" CLIFTON, et al
Plaintiffs,

VS.

JENNIFER WALTERS IN HER
OFFICIAL CAPACITY AS CITY
SECRETARY FOR THE CITY OF
DENTON, TEXAS
Defendant.

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FILED IN DENTON COUNTY, TEXAS
2008 NOV -6 PM 20
BY SHERI FUEL SEIN
DISTRICT CLERK
DEPUTY
IN THE DISTRICT COURT OF
393RD JUDICIAL DISTRICT OF

DENTON COUNTY, TEXAS

**FINAL JUDGMENT DISMISSING CASE WITH PREJUDICE AND DECLARING
PLAINTIFF ROBERT T. "BOB" CLIFTON A VEXATIOUS LITIGANT**

On the 22nd day of September, 2008, this Court signed an *Interlocutory Order Granting Defendant's Motion to Dismiss for Want of Jurisdiction and Defendant's First Supplemental Motion to Dismiss for Want of Jurisdiction* as to the Plaintiffs ROBERT T. "BOB" CLIFTON, RAQUEL GUTIERREZ BRYSON and RICHARD D. JORDAN.

On the 3rd day of October, 2008 the Plaintiff JUSTIN BELL filed his *Notice Of Non-Suit With Prejudice* and the court signed an *Order Granting Non-Suit With Prejudice* on October 8, 2008.

On the 15th day of October, 2008 this Court granted Defendant's *Motion* and signed an *Interlocutory Order Dismissing Michael Sutton's Claims as Moot*.

On October 27, 2008 the Court, having determined that no jury issues were presented, proceeded to hear the Defendant's motions (1) to sanction the Plaintiff ROBERT T. "BOB" CLIFTON under Rule 13, Texas Rules of Civil Procedure for filing a groundless claim in bad faith and for the purpose of harassment, and (2) to declare Plaintiff ROBERT T. "BOB" CLIFTON a Vexatious Litigant under Chapter 11 of the Texas Civil Practice and Remedies Code.

After hearing the evidence and argument, and considering the applicable law the Defendant's *Motion to Sanction* Plaintiff CLIFTON under Rule 13 is DENIED.


The Court finds that Defendants' *Motion to Declare Plaintiff Robert T. "Bob" Clifton a Vexatious Litigant* under Texas Civil Practice & Remedies Code, Chapter 11, is well taken and should be granted. In connection therewith the Court finds that Plaintiff CLIFTON in the seven-year period immediately preceding the date of Defendant's *Motion*, Plaintiff had commenced, prosecuted and maintained *in propria persona*, other than in a small claims court, at least five (5) litigations that had been finally determined against him, per the standard of Texas Civil Practice & Remedies Code Sec. 11.054(1)(A). The Court further finds that after a litigation has been finally determined against him, Plaintiff CLIFTON has 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 and DECLARED that Plaintiff ROBERT T. "BOB" CLIFTON is a Vexatious Litigant pursuant to Texas CPRC Chapter 11. Plaintiff ROBERT T. "BOB" CLIFTON having been determined to be a Vexatious Litigant, the Court further ORDERS pursuant to Texas CPRC Sec. 11.101 that said Plaintiff ROBERT T. "BOB" CLIFTON 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 Texas CPRC Sec. 11.102.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT all the claims of the Plaintiffs herein are DISMISSED; that the Defendant JENNIFER WALTERS, IN HER CAPACITY AS DENTON CITY SECRETARY have *Judgment* declaring Plaintiff ROBERT T. "BOB" CLIFTON a

Vexatious Litigant, and that this *Judgment* and all prior *Interlocutory Orders* of this Court are final and appealable. All other relief not expressly granted herein is DENIED.

SIGNED this 30 day of ~~October~~ ^{November} 2008.



JUDGE PRESIDING