

**NO. 2014-CI-03460**

CLIFTON MCGARITY, JR.	§	IN THE DISTRICT COURT
VS.	§	131st JUDICIAL DISTRICT
RAYMOND DANIELS	§	BEXAR COUNTY, TEXAS

**ORDER ON DEFENDANTS MOTION
TO DECLARE PLAINTIFF A VEXATIOUS LITIGANT AND PROVIDE SECURITY**

After considering defendant Raymond Daniels' Motion to Declare Plaintiff a Vexatious Litigant and Provide Security, the evidence presented at the hearing, and the arguments of counsel and party, the Court GRANTS the motion and makes the following findings and orders:

1. Plaintiff, Clifton McGarity, Jr. has commenced and prosecuted multiple litigations as a pro se litigant the subject matter and claims of which has been the same;
2. The litigation has been determined adversely to Plaintiff, Clifton McGarity, Jr.;
3. The litigation has been finally determined against the Plaintiff, Clifton McGarity, Jr.;
4. Plaintiff, Clifton McGarity, Jr., repeatedly relitigated or attempts to relitigate the same cause of action, claim or controversy in causes of action:
 - A) 2014-CI-03460 – Petition in Lawsuit Against Cause No. 2011-CI-10642, the pending matter.
 - B) 2015-CI-07336- Petition in Suit Against Suit to Remove Cloud From Title pending at time of hearing and Plaintiff, Clifton McGarity filed a Notice of Non-suit during hearing in this cause of action.
 - C) 2011-CI-10642-Bill of Review in Cause No. 2011-CI-10642 regarding the 2008 matter which was dismissed for want of prosecution, reinstated and again dismissed for want of prosecution on 3-4-2014.
 - D) 2013-CI-09682 – Original Bill of Review filed regarding 2011-CI-10642 with same claims as previously resolved.
 - E) 2009-CI-13252 – Petition to Remove Cloud From Title involving the same piece of real estate and the same claims and in which Clifton McGarity, Jr. received and adverse ruling with judgment of dismissal on 11-24-09 signed by Hon David Berchelmann.
 - F) 2009-CI-13252 - Motion to Modify filed 12-21-09 with denial signed on 02-16-10 signed by Hon David Berchelmann.

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G) 2009-CI-13252 – Amended Motion to Modify filed on 3-9-10 and denied on 5-3-10 by the Hon. Gloria Saldana.

H) Request for Rehearing to the 4th Court of Appeals denied on 7-07-08.

I) Writ of Mandamus filed to the 4th Court of Appeals denied on 06-18-08.

J) 2008-CI-20020- the Original Suit to Quiet Title in which Clifton McGarity, Jr. received and adverse ruling on 05-22-08 from Hon. Barbara Neller-moe.

5. IT IS ORDERED that Plaintiff, Clifton McGarity, Jr., has been found to be a vexatious litigant pursuant to Texas Civil Practice & Remedies Code section 11.054.

6. IT IS ORDERED that Plaintiff, Clifton McGarity, Jr., must not file, as a pro se party new litigation in a court in Texas against the defendant, Raymond Daniels' and his agents, heirs, assigns without first obtaining permission from the appropriate local administrative judge as required by Texas Civil Practice & Remedies Code section 11.102(a).

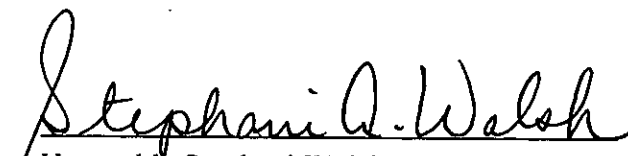
7. Additionally, if allowed by the administrative judge to file litigation IT IS ORDERED that Plaintiff, Clifton McGarity, Jr., furnish security for the benefit of defendant, Raymond Daniels, by deposit to the registry of the court in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)** not later than **30 days of the date of filing** his cause of action. The security is to assure payment to the defendant for reasonable expenses, including his court costs and attorney fees, should the case be dismissed on the merits.

8. IT IS ORDERED that if the Plaintiff, Clifton McGarity, Jr., does not furnish security within the time limit set by this order, the Court shall dismiss the suit with prejudice against plaintiff.

9. As required by Texas Civil Practice & Remedies Code section 11.04 (a), IT IS ORDERED THAT the District Clerk of Bexar County shall provide a copy of this order to the Office of Court Administrative of the Texas Judicial System.

Date of Judgment

SIGNED on 07 July 2016


Honorable Stephani Walsh

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