

BUI PHU XUAN,

Plaintiff,

v.

FORT WORTH STAR-TELEGRAM,

Defendant.

RECEIVED  
JUN 01 2009

OFFICE OF  
COURT ADMINISTRATION

IN THE DISTRICT COURT

POTTER COUNTY, TEXAS

181<sup>ST</sup> JUDICIAL DISTRICT

FILED  
CAROLINE WOODBURN  
DISTRICT CLERK

2009 MAY 26 SA 9:57

POTTER COUNTY, TX

BY BRB DEPUTY

**ORDER GRANTING DEFENDANT'S MOTION TO DETERMINE PLAINTIFF A VEXATIOUS LITIGANT, REQUIRING SECURITY, AND IMPOSING LIMITATIONS ON FILING OF NEW LITIGATION BY PLAINTIFF**

ON THIS DAY came on to be considered Defendant's Motion to Determine Plaintiff a Vexatious Litigant and Require Security. The Plaintiff, proceeding *pro se*, is incarcerated, and accordingly the hearing was conducted by telephone. Plaintiff participated *pro se*, and Defendant participated by counsel.

The Court, having reviewed the Motion, the Plaintiff's response, if any, and the pleadings on file and heard argument, finds that Plaintiff is a "vexatious litigant," under the criteria set forth in TEX. CIV. PRAC. & REM. CODE § 11.054, and the Motion is therefore well taken and should be granted.

IT IS THEREFORE ORDERED:

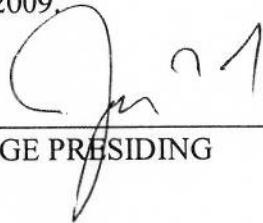
1. That this case shall be abated, and that Plaintiff shall be required to furnish security for the benefit of Defendant to assure payment to Defendant of its costs and reasonable attorney's fees. <sup>Plaintiff</sup> Defendant is ordered to post security with the Clerk of this Court in the amount of \$ 25,000<sup>00</sup>, on or before July 15, 2009. If Plaintiff posts such security

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CAROLINE WOODBURN  
District Clerk  
Potter County, Texas

By BRB Page 1, Deputy

by that date, the abatement will be lifted and the case will proceed. If Plaintiff fails to post such security by that date, this case will be dismissed without further notice to Plaintiff.

2. Pursuant to TEX. CIV. PRAC. & REM. CODE § 11.101, Plaintiff is further ordered not to file any new civil litigation in this state on a *pro se* basis without obtaining prior permission from the local administrative judge of the court in which Plaintiff intends to file the litigation.

SIGNED ON 5/21, 2009.  
  
\_\_\_\_\_  
JUDGE PRESIDING

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CAROLINE WOODBURN  
District Clerk  
Potter County, Texas  
By BR, Deputy

**1262497**

I, Caroline Woodburn, Clerk of the District Courts and County Courts at Law, in and for Potter County, Texas, do hereby certify that the foregoing instrument is a correct copy of the original on file in this office

ATTESTED this 26 day of May, 2009  
By J. Renee Patrick Deputy

FILED  
CAROLINE WOODBURN  
DISTRICT CLERK

2009 MAY 26 A 9:57  
POTTER COUNTY, TX

BY BR DEPUTY