

**DISMISS and Opinion Filed July 15, 2016**



**In The  
Court of Appeals  
Fifth District of Texas at Dallas**

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**No. 05-15-01558-CV**

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**LOWELL MERRITT, Appellant**

**V.**

**ROBERT DAVIS, Appellee**

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**On Appeal from the 296th Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 296-01387-2009**

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**MEMORANDUM OPINION**

Before Chief Justice Wright and Justices Lang-Miers and Stoddart  
Opinion by Chief Justice Wright

Appellant is a pro se vexatious litigant subject to a prefiling order. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 11.102(a) (West Supp. 2015). By letter dated May 4, 2016, we instructed appellant to file, by May 16, 2016, written verification that he had obtained the required order from the local administrative judge permitting the filing of this appeal. We cautioned appellant that failure to provide the written verification within the time requested may result in dismissal of the appeal without further notice. At appellant's request, we extended the deadline to May 23, 2016.

As of today's date, appellant has not provided the written verification. On June 20, 2016, the Collin County District Clerk filed a letter verifying that there is no order granting appellant

permission to appeal. Accordingly, we dismiss the appeal. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 11.1035(b) (West Supp. 2015).

/Carolyn Wright/  
CAROLYN WRIGHT  
CHIEF JUSTICE

151558F.P05



**Court of Appeals  
Fifth District of Texas at Dallas**

**JUDGMENT**

LOWELL MERRITT, Appellant

No. 05-15-01558-CV      V.

ROBERT DAVIS, Appellee

On Appeal from the 296th Judicial District  
Court, Collin County, Texas

Trial Court Cause No. 296-01387-2009.

Opinion delivered by Chief Justice Wright.

Justices Lang-Miers and Stoddart  
participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellee ROBERT DAVIS recover his costs of this appeal from appellant LOWELL MERRITT.

Judgment entered July 15, 2016.