

**DISMISS and Opinion Filed December 9, 2021**



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

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**No. 05-21-00160-CV**

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**IN RE BRIDGET PARSON A/K/A BRIDGET BROWN PARSON, Relator**

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**Original Proceeding from the 301st Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. 00-14691T**

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**MEMORANDUM OPINION**

Before Justices Molberg, Reichek, and Smith  
Opinion by Justice Reichek

Before the Court is relator's March 10, 2021 petition for writ of mandamus.

By order dated November 19, 2021, we stayed the mandamus proceedings to provide relator an opportunity to seek and obtain permission from the Local Administrative District Judge to file her *pro se* petition for writ of mandamus. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 11.102 (a). We cautioned her that failure to provide the written verification of permission by November 30, 2021 would result in dismissal of this original proceeding without further notice.

A vexatious litigant, as relator has been declared to be, is prohibited from filing any new litigation in a court of this State *pro se* without first obtaining permission from the local administrative judge. *See* TEX. CIV. PRAC. & REM. CODE ANN. §§ 11.102(a), 11.103(a). A petition for writ of mandamus is a civil action to which the vexatious litigant statute applies. *Cooper v. McNulty*, No. 05-15-00801-CV, 2016 WL 6093999, at \*3 (Tex. App.—Dallas Oct. 19, 2016, no pet.) (mem. op.) (citing *Retzlaff v. GoAmerica Commc’ns Corp.*, 356 S.W.3d 689, 700 (Tex. App.—El Paso 2011, no pet.) (concluding under statutory definitions, “a person who seeks mandamus relief commences a civil action in the appellate court”)); *see also* TEX. CIV. PRAC. & REM. CODE ANN. § 11.001(2) (defining “litigation” as “a civil action commenced, maintained, or pending in any state or federal court.”); *id.* § 11.103(a) (the clerk of a court “may not file a litigation, original proceeding, appeal, or other claim presented, *pro se*, by a vexatious litigant subject to a prefiling order” unless the litigant first obtains permission).

Because the November 30, 2021 deadline has passed, we lift the stay in this case. And, because relator has not demonstrated that she has sought and obtained a written order permitting her to file her *pro se* petition for writ of mandamus, we dismiss the proceeding. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 11.1035(b) (the court “shall dismiss the litigation unless the [vexatious litigant subject to a prefiling order] ... obtains an order from the appropriate local administrative judge

described by Section 11.102(a) permitting the filing of the litigation”); *see also In re Johnson*, No. 03-13-00531-CV, 2013 WL 4822489, at \*1 (Tex. App.—Austin Aug. 30, 2013, orig. proceeding) (mem. op.) (dismissing petition for writ of mandamus where no showing was made that relator had obtained permission from local administrative judge to file the petition).

Additionally, relator has filed an emergency motion for a temporary restraining order and a motion for reconsideration of orders issued on November 28 and 29, 2021, dates on which no orders issued from this Court. These motions are likewise dismissed.

/Amanda L. Reichel/  
AMANDA L. REICHEK  
JUSTICE

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