

DISMISSED and Opinion Filed September 30, 2021



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

No. 05-21-00777-CV

IN RE JAY SANDON COOPER, Relator

**Original Proceeding from the County Court at Law No. 6
Collin County, Texas
Trial Court Cause No. 006-86065-2019**

MEMORANDUM OPINION

Before Justices Schenck, Nowell, and Garcia
Opinion by Justice Garcia

Jay Sandon Cooper filed this original proceeding and an emergency motion to stay trial proceedings set to occur the following week. The Court denied emergency relief by order and now we dismiss the case.

Relator has been declared a vexatious litigant and is prohibited from filing pro se any new litigation in a court of this State without first obtaining permission from the local administrative judge. *See* TEX. CODE CRIM. PROC. ANN. §§11.102(a), 11.103(a). A petition for writ of mandamus is a civil action to which the vexatious litigant statute applies. *Id.* §11.103(a) (prohibiting clerk of a court from filing original proceeding by pro se vexatious litigant subject to prefiling order unless

litigant first obtains permission); *In re Bowling*, 05-21-00423-CV, 2021 WL 2943922, at *1 (Tex. App.—Dallas July 6, 2021, orig. proceeding) (mem. op.).

Our record does not reflect relator had permission of the local administrative judge to file this original proceeding. By order entered September 10, 2021, we stayed this proceeding and ordered relator to file, by September 21, 2021, a copy of an order from the local administrative judge granting him permission to file this original proceeding. We cautioned relator that failure to file the order verifying permission to file would result in dismissal of this original proceeding for want of jurisdiction without further notice.

Relator has not filed the required order permitting him to proceed with this original proceeding. Accordingly, we dismiss the proceeding for want of jurisdiction. *See* TEX. CODE CRIM. PROC. ANN. §11.035(b); *Bowling*, 2021 WL 2943922, at *1.

/Dennise Garcia/
DENNISE GARCIA
JUSTICE

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