

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-13-00209-CV

IN RE R. WAYNE JOHNSON

Original Proceeding

MEMORANDUM OPINION

On May 2, 2013, we received a petition for writ of mandamus from R. Wayne Johnson. Johnson is a vexatious litigant subject to prefiling orders. Tex. Civ. Prac. & Rem. Code Ann. § 11.104 (West Supp. 2012); *see* <http://www.courts.state.tx.us/oca/VexatiousLitigants.asp>. A clerk of a court may not file an original proceeding presented by a vexatious litigant subject to a prefiling order unless the litigant obtains an order from the local administrative judge permitting the filing. Tex. Civ. Prac. & Rem. Code Ann. § 11.103(a) (West Supp. 2012). On May 9, 2013, we notified the parties that the petition was subject to the prefiling requirement. *Id.* § 11.103(c). We have not received notice that the

local administrative judge has permitted the filing of litigation by Johnson. *See* Tex. Civ. Prac. & Rem. Code Ann. § 11.102(a) (West Supp . 2012). Accordingly, the original proceeding is dismissed as improvidently filed. Tex. Civ. Prac. & Rem. Code Ann. § 11.103(b).

PETITION DISMISSED.

PER CURIAM

Opinion Delivered June 13, 2013
Before Gaultney, Kreger, and Horton, JJ.