



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-22-00269-CV

IN RE LONNIE KADE WELSH, RELATOR

ORIGINAL PROCEEDING ON PETITION FOR WRIT OF MANDAMUS

October 28, 2022

MEMORANDUM OPINION

Before QUINN, C.J., and PARKER and DOSS, JJ.

Lonnie Kade Welsh is a vexatious litigant subject to a prefiling order which prohibits him from filing new litigation in any Texas court without first obtaining permission from the local administrative judge. See TEX. CIV. PRAC. & REM. CODE ANN. §§ 11.101-.103. Despite the prefiling order prohibiting new filings, Welsh filed a petition for writ of mandamus with this Court without an accompanying order permitting the filing.

Chapter 11 of the Civil Practice and Remedies Code requires courts to dismiss new actions filed by a vexatious litigant unless the litigant also files an order from the local administrative judge permitting the filing of the new action. See TEX. CIV. PRAC. & REM. CODE ANN. § 11.1035. By letter of September 28, 2022, we admonished Welsh that this

proceeding would be dismissed unless he filed an order granting the required permission by October 10, 2022. On October 11, 2022, we received Welsh's Motion to Stay Dismissal. Within it, he represented that he sought the requisite permission from the Regional Administrative Judge on October 5, 2022. Yet, no proof of such a request to the Administrative Judge, like a copy of the request, was appended to his motion. Nor did he append proof that the Regional Administrative Judge received or otherwise knew of his request. Furthermore, no order permitting him to proceed has been received by this court to date.

Accordingly, we deny the "Motion to Stay Dismissal" and dismiss, without prejudice, his petition for writ of mandamus. See TEX. CIV. PRAC. & REM. CODE ANN. § 11.1035(b).

Per Curiam