



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-11-00044-CV

RICHARD M. KING, JR., Appellant

V.

ERIC CLIFFORD, ET AL., Appellees

On Appeal from the 62nd Judicial District Court
Lamar County, Texas
Trial Court No. 79517

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Justice Moseley

MEMORANDUM OPINION

Richard M. King, Jr., an inmate, sued a host of individuals, including Honorable Eric Clifford, Judge of the 6th Judicial District Court of Lamar County; Marvin Ann Patterson, Clerk of the Lamar County District Court; the deputy clerks of the Lamar County District Court; Jane Horta; JoAnn Ondrovik; and Steven Miears.

All defendants filed motions to dismiss, stating that King is listed with the Texas Supreme Court as a vexatious litigant and must submit any new litigation for approval by the presiding judge of the 6th Judicial District Court before filing.

The trial court granted the motions to dismiss and dismissed the case. King appealed that order of dismissal.

On June 28, 2011, we returned a brief King had attempted to file, because he had asked this Court to serve a copy of the brief on all parties for him. Our letter returning the brief to King read as follows:

Appellant's brief was received on June 27, 2011. Pursuant to TEX. R. APP. P. 9.5, a deficiency was noted under 9.5(a), (b), (c), (d) and (e). In your brief you requested this Court serve opposing counsel with a copy of your brief. This Court does not provide that service for you. You will need to submit a new brief within ten days of the date of this notice in compliance with TEX. R. APP. P. 9.5.

Please submit a new brief on or before **July 8, 2011**. If an appropriate brief is not received by said date, the case will be dismissed for want of prosecution pursuant to TEX. R. APP. P. 38.8(a)(1).

Instead of receiving a brief with a certificate of service indicating that King had served all interested parties, we received the same brief that we had returned to him.

Therefore, we dismiss this appeal for want of prosecution.

Bailey C. Moseley
Justice

Date Submitted: July 25, 2011
Date Decided: July 26, 2011