

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

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NO. 03-15-00550-CV

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In re Estate of Miguel Alonso Hernandez, Deceased

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FROM THE COUNTY COURT AT LAW NO. 1 OF HAYS COUNTY  
NO. 9634-P, HONORABLE ROBERT UPDEGROVE,<sup>1</sup> JUDGE PRESIDING

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MEMORANDUM OPINION

Appellants Daniel Montes, Juana Perez Hernandez, and Elizabeth H. Hudson filed this attempted appeal from a 2003 order entered under chapter 11 of the Texas Civil Practice and Remedies Code declaring them vexatious litigants. *See* Tex. Civ. Prac. & Rem. Code § 11.101(a); <http://www.txcourts.gov/judicial-data/vexatious-litigants.aspx>.<sup>2</sup> Appellants contend that chapter 11 affords them an appeal of the 2003 order, but nothing in the statute allows an appeal of the order more than eleven years after it was signed. *See* Tex. Civ. Prac. & Rem. Code § 11.101(c); Tex. R. App. P. 26.1 (time to perfect appeals).

Accordingly, we dismiss this appeal for want of jurisdiction. *See* Tex. R. App. P. 2, 42.3(a).

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<sup>1</sup> We substitute the current judge of this court for Judge Howard S. Warner, who signed the order appealed here but is now deceased.

<sup>2</sup> After we dismissed petitions for writ of mandamus (and various motions) that appellant Montes filed without obtaining the prefiling order required under chapter 11, Montes removed the cause to federal court. *See In re Montes*, No. 03-15-00472-CV, 2015 Tex. App. LEXIS 8648, at \*2 (Tex. App.—Austin Aug. 18, 2015, orig. proceeding) (mem. op.); *see also* Tex. Civ. Prac. & Rem. Code § 11.102.

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Jeff Rose, Chief Justice

Before Chief Justice Rose, Justices Pemberton and Field

Dismissed for Want of Jurisdiction

Filed: August 31, 2015