



NUMBER 13-21-00184-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

MICHAEL MCCANN, TDCJ #879919,

Appellant,

v.

C.O.V. JESUS DEHOYOS, ET AL.,

Appellees.

**On appeal from the 36th District Court
of Bee County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Hinojosa and Silva
Memorandum Opinion by Chief Justice Contreras**

Appellant, Michael McCann, attempted to perfect an appeal from an order issued by the trial court. Appellant is on the list of vexatious litigants compiled by the Office of the Court Administration of the Texas Judicial System, and he has been prohibited from filing any more litigation in Texas courts without permission of a local administrative judge. See TEX. CIV. PRAC. & REM. CODE ANN. § 11.104; see *generally*

<https://www.txcourts.gov/judicial-data/vexatious-litigants/>.

The Clerk of this Court notified appellant that the attempted appeal fails to comply with the vexatious litigant statute. Appellant was advised that unless he has obtained the permission of the local administrative judge and provided a copy of such order permitting the filing of this appeal within ten days from the date of receipt of this notice, the appeal would be dismissed.

Appellant has failed to respond to the Court's directive and the record before the Court fails to show that appellant obtained the permission of the local administrative judge to file this appeal. With limited exceptions not applicable to this case, "a clerk of a court may not file a litigation, original proceeding, appeal, or other claim presented by a vexatious litigant subject to a prefiling order under Section 11.101 unless the litigant obtains an order from the local administrative judge permitting the filing." TEX. CIV. PRAC. & REM. CODE ANN. § 11.103.

The Court, having considered the documents on file and appellant's failure to correct the defect in this matter, is of the opinion that the appeal should be dismissed. Accordingly, the appeal is dismissed. See TEX. R. APP. P. 42.3(a),(c).

DORI CONTRERAS
Chief Justice

Delivered and filed on the
16th day of September, 2021.