

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Delbert Royce Hall v. John Alvin Crane, Administrator for Malcolm E. Hall and Rose M. Jenkins

No. 03-25-01028-CV · No. 03-25-01028-CV · Decided January 23, 2026

SUMMARY

The Texas Court of Appeals, Third District, dismissed Delbert Royce Hall’s pro se appeal for want of jurisdiction. Because Hall had been declared a vexatious litigant and did not obtain the required permission from the local administrative judge before filing the appeal, the court lifted its stay and dismissed the appeal under Texas Civil Practice and Remedies Code sections 11.101–11.1035 and Texas Rule of Appellate Procedure 42.3(a).

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Darlene Byrne, Chief Justice; Justice Theofanis; Justice Crump
JURISDICTION	Texas Court of Appeals, Third District, at Austin
DECIDED	January 23, 2026
DOCKET	03-25-01028-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Hall, acting pro se, appealed from proceedings in Probate Court No. 1 of Travis County. The court of appeals stayed the appeal and required Hall to demonstrate that he had obtained permission from the local administrative judge to file the appeal because he was subject to a vexatious-litigant prefiling order.
PRECEDENTIAL VALUE	published
PARTIES	Delbert Royce Hall v. John Alvin Crane, Administrator for Malcolm E. Hall and Rose M. Jenkins

TOPICS

[appellate jurisdiction](#) [appellate procedure](#) [civil procedure](#) [probate procedure](#)

PRACTICE AREAS

[appellate procedure](#) [civil procedure](#) [probate](#)

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction over a pro se appeal filed by a vexatious litigant subject to a statutory prefiling order without the required permission from the local administrative judge.
2. Whether the appeal should be dismissed for want of jurisdiction when the statutory prerequisite to filing was not satisfied.

HOLDINGS

1. When a vexatious litigant is subject to a prefiling order under Texas Civil Practice and Remedies Code section 11.101, the clerk may not file the litigant's pro se appeal unless the litigant first obtains an order from the appropriate local administrative judge permitting the filing.
2. The appeal was dismissed for want of jurisdiction because Hall failed to obtain or demonstrate the required local administrative judge's permission before filing.

KEY QUOTATIONS

“When a vexatious litigant is subject to a prefiling order under Section 11.101, a clerk of a court may not file a litigation, original proceeding, appeal, or other claim presented, pro se, by a vexatious litigant unless the litigant obtains an order from the appropriate local administrative judge permitting the filing.”

“Because a prerequisite to filing Hall’s appeal was not met, this appeal should not have been filed.”

FACTUAL BACKGROUND

Hall filed the appeal pro se while subject to a Travis County district-court order declaring him a vexatious litigant and prohibiting him from filing new litigation in Texas without permission from the appropriate local administrative judge. The appellate court requested proof of that permission, but Hall did not respond or demonstrate that he had obtained it.

PROCEDURAL HISTORY

The appeal arose from Travis County Probate Court No. 1, cause number C-1-PB-17-000634. The court of appeals stayed the appeal on January 6, 2026, gave Hall an opportunity to obtain the required local administrative judge's permission, and warned that failure to do so would result in dismissal. Hall filed no response demonstrating that he had obtained permission, so the court lifted the stay and dismissed the appeal for want of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Madugula v. FM 969 Com. Dev., LLC, No. 03-24-00565-CV, 2024 WL 4362839 (Tex. App.—Austin Oct. 2, 2024, no pet.) (mem. op.)

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-25-01028-CV Delbert Royce Hall, Appellant v. John Alvin Crane, Administrator for Malcolm E. Hall and Rose M. Jenkins, Appellee FROM THE PROBATE COURT NO. 1 OF TRAVIS COUNTY NO. C-1-PB-17-000634, THE HONORABLE NICHOLAS CHU, JUDGE PRESIDING MEMORANDUM OPINION Appellant Delbert Royce Hall, acting pro se, filed an appeal that we stayed on January 6, 2026, allowing him an opportunity to obtain the local administrative judge's permission to file this appeal because, in a separate cause, Hall has been declared a vexatious litigant.

See Tex. Civ. Prac. & Rem. Code § 11.054 (stating criteria for finding plaintiff vexatious litigant). Our stay order advised Hall that failure to obtain the local administrative judge's permission would result in dismissal of this appeal for want of jurisdiction. See *Madugula v. FM 969 Com. Dev., LLC*, No. 03-24-00565-CV, 2024 WL 4362839, at *1 (Tex. App.—Austin Oct.

2, 2024, no pet.) (mem. op.) (following similar procedure). The Travis County district court's order declaring Hall a vexatious litigant prohibits Hall from filing as a pro se party "any new litigation in a court in Texas against any party," unless he first obtains "permission from the appropriate local administrative judge as required by Texas Civil Practice and Remedies Code section 11.102(a)." See Tex. Civ.

Prac. & Rem. Code §§ 11.101(a) (authorizing court to enter order prohibiting person from filing new litigation in court to which order applies without permission from appropriate local administrative judge if court finds person is vexatious litigant), 102 (addressing permission by local administrative judge); see also *Madugula*, 2024 WL 4362839, at *1 (noting that prefiling order entered by district court applies to each court in this state).

When a vexatious litigant is subject to a prefiling order under Section 11.101, a clerk of a court may not file a litigation, original proceeding, appeal, or other claim presented, pro se, by a vexatious litigant unless the litigant obtains an order from the appropriate local administrative judge permitting the filing. Tex. Civ. Prac. & Rem. Code § 11.103(a); *Madugula*, 2024 WL 4362839, at *1; see Tex. Civ.

Prac. & Rem. Code § 11.1035 (providing procedure for dismissal of litigation mistakenly filed without requisite order from local administrative judge). Hall filed no response to our request that he demonstrate permission from the local administrative judge to file this appeal. See Tex. Civ. Prac. & Rem. Code § 11.103(a).

Because a prerequisite to filing Hall's appeal was not met, this appeal should not have been filed. See *id.*; *Madugula*, 2024 WL 4362839, at *2 (dismissing appeal for want of jurisdiction because

appellant who had been declared vexatious litigant had not requested permission from local administrative judge).

Accordingly, we lift the stay and dismiss this appeal for want of jurisdiction. 1 See Tex. R. App. P. 42.3(a). _____ Darlene Byrne, Chief Justice 1 Hall's pending motions are dismissed as moot. 2 Before Chief Justice Byrne, Justices Theofanis and Crump Dismissed for Want of Jurisdiction Filed: January 23, 2026 3

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