

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).

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), 11.102 (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