

SUMMARY OF DEFENDANTS' EIGHT ITEMS

A single "NO" in any column means that the item cannot "count" toward the tally.

Defendants' Item Number	Is it a whole "litigation" ?	Was it <i>pro se</i> with no counsel?	Finally determined ?	Adversely to Serafine?	In 7 yrs. before Dec., 2019?
1-Blunt case , Motion for Rehearing denied by Tx. Sup. Ct.	No. It's a motion or part of appeal and can't be double counted.	No. Hired & paid limited scope counsel.	No. Remand still had to take place when rehearing denied.	No. Mere denial of discretionary rehearing; leaves parties in same position.	Yes.
2-Blunt case , PFR denied by Tx. Sup. Ct.	No. It's a discretionary review/part of appeal & can't be double counted.	No. Hired & paid limited scope counsel.	No. Same case as No. 1; remand still had to take place yet.	No. Mere denial of discretionary PFR; leaves parties in same position.	Yes.
3-Branaman case , take-nothing judgment in federal district court.	No. Because it was appealed & cannot be double-counted.	No. Was represented at pretrial & trial. Hired & paid limited scope counsel for post-trial brief & argument.	No. Judgment never became final b/c it was reversed on appeal.	Yes.	Yes.
4-Branaman case , 5th Circuit strikes down statute under First Amendment; grants overbreadth theory, but not prior restraint.	Yes. Combining Nos. 3 + 4 = one civil action.	No. Hired & paid limited scope counsel.	Yes.	No. Serafine won all relief + \$48K in fees.	Yes.

Defendants' Item Number	A whole "litigation" ?	<i>Pro se</i> with no counsel?	Finally determined ?	Adversely to Serafine?	In 7 yrs. before Dec., 2019?
5-Crump case , dismissal in federal district court <i>without prejudice</i> for lack of subject matter jurisdiction under <i>Rooker-Feldman</i> doctrine.	Yes, but only if No. 8 is not double-counted.	No. Hired & paid limited scope counsel.	No. Case was on appeal at 5th Circuit when Motions were filed in Dec., 2019.	Maybe. Court has discretion to consider <i>without prejudice</i> to refiling as not adverse.	Yes.
6-Blunt case , Third Court affirming in part and reversing and remanding in part.	No.	No. Was represented by counsel for 3-1/2 yrs., then hired & paid limited scope counsel.	No. Case was still on remand to the trial court when Motions were filed. <i>See</i> One judgment rule.	No. Adverse in part, favorable in part and remanded. Remand awarded Serafine \$30K.	Yes.
7-Mandamus denied on discovery issue against co-defendant of Blunts, later consolidated with <i>Blunt</i> case.	No. Defendants fail to mention what the claim was.	Yes, <i>pro se</i> on this mandamus, then same counsel as No. 6, after consolidation.	Yes.	Yes.	Yes.
8-Crump case , 5th Circuit denied petition for supervisory mandamus.	No. Defs. fail to mention claim and challenge to a final decision is not counted.	No. Hired & paid limited scope counsel.	Yes.	No. Denial leaves parties in same position as before.	Yes.