

**DENY; and Opinion Filed December 1, 2015.**



**In The  
Court of Appeals  
Fifth District of Texas at Dallas**

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**No. 05-15-01462-CV**

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**IN RE DANIEL PEARSON, Relator**

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**Original Proceeding from the County Court at Law No. 3  
Dallas County, Texas  
Trial Court Cause No. CC-15-05015-C**

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**MEMORANDUM OPINION**

Before Justices Lang, Fillmore, and Brown  
Opinion by Justice Lang

In this petition for writ of injunction relator Daniel Pearson requests that the Court issue an order staying execution of the trial court's final judgment, which grants a writ of possession to real party in interest Joseph Kemp, as Administrator of the Estate of Lou Bertha Brooks. Relator states he filed a motion in the trial court to set the amount required to supersede the judgment, but the motion "was rejected for deficiencies." The Texas Property Code provides: "A judgment of a county court may not under any circumstances be stayed pending appeal unless, within 10 days of the signing of the judgment, the appellant files a supersedeas bond in an amount set by the county court." TEX. PROP. CODE ANN. § 24.007(a) (West Supp. 2015). Because relator has not superseded the trial court's judgment, this Court may not grant the relief requested.

We **DENY** the petition.

/Douglas S. Lang/  
DOUGLAS S. LANG  
JUSTICE

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