

Denied and Opinion Filed October 21, 2016



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-16-01188-CV

IN RE DERRICK LYNN JOHNSON, Relator

Original Proceeding from the 204th Judicial District Court
Dallas County, Texas
Trial Court Cause No. F-1655027

MEMORANDUM OPINION

Before Justices Francis, Fillmore, and Stoddart
Opinion by Justice Francis

Before the Court is relator's October 10, 2016 petition for writ of mandamus asking us to order the trial court to rule on his motion for article 39.14 discovery and grant a personal recognizance bond. The petition is not certified as required by rule 52.3(j) and does not include a supporting record or appendix as required by rules 52.3(k) and 52.7. TEX. R. APP. P. 52.3(j), 52.3(k), 52.7. The absence of a supporting record is fatal to the petition. As the party seeking relief, relator has the burden of providing the Court with a sufficient record to establish his right to mandamus relief. *See, e.g., In re Jones*, No. 05-16-00230-CV, 2016 WL 836835 (Tex. App.—Dallas March 4, 2016, orig. proceeding) (mem. op.). Relator has not done so in this case.

Accordingly, we **DENY** the petition for writ of mandamus.

/Molly Francis/

MOLLY FRANCIS
JUSTICE

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