

**Petition for Writ of Mandamus Denied and Memorandum Opinion filed
October 27, 2015.**



In The

Fourteenth Court of Appeals

NOS. 14-15-00881-CV and 14-15-00885-CV

IN RE J WOMACK, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
Galveston County, Texas
County Court Cause No. 06-FD-0536
and Probate Court Cause No. SE-0001523**

MEMORANDUM OPINION

On October 16, 2015, relator J Womack filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (West 2004); *see also* Tex. R. App. P. 52. In the petition, relator asks this court to compel the Honorable John Grady, presiding judge of the County Court at Law No. 1, Galveston County,

and the Honorable Kimberly Sullivan, presiding judge of the Probate Court, Galveston County to issue a temporary injunction to allow the adoption of a child and to allow an individual to inherit certain property.

Relator has not established that he is entitled to mandamus relief. “A party’s right to mandamus relief generally requires a predicate request for some action and a refusal of that request.” *In re Perritt*, 992 S.W.2d 444, 446 (Tex. 1999) (orig. proceeding). Relator has not shown that he requested the relief he seeks in his petition from the county court and the probate court and that these courts refused such relief, which are prerequisites for mandamus relief. *See In re Clewis*, 14-10-00086-CV, 2010 WL 547087, at *1 (Tex. App.—Houston [14th Dist.] Feb. 18, 2010, orig. proceeding).

Additionally, as the party seeking relief, relator has the burden of providing this Court with a sufficient record to establish his right to mandamus relief. *See Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992); Tex. R. App. P. 52.7(a)(1) (relator must file with petition “a certified or sworn copy of every document that is material to the relator’s claim for relief and that was filed in any underlying proceeding”). Relator has not provided this court with any record, much less a record that is sufficient to establish that he is entitled to the relief he seeks.

Accordingly, we deny relator’s petition for writ of mandamus.

PER CURIAM

Panel consists of Justices Jamison, McCally, and Wise.