

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00459-CV

IN RE CHRISONDATH BADALL

Original Proceeding

MEMORANDUM OPINION

Chrisondath Badall has filed a mandamus petition that seeks to compel the trial court to consider and rule upon motions that Badall has filed in a civil case. After Badall filed his petition for writ of mandamus, the trial court issued a bench warrant, conducted a hearing, and ruled on the motions mentioned in Badall's mandamus petition. Badall subsequently amended his petition for writ of mandamus to compel the successor judge to rule upon additional motions filed by Badall on December 16, 2010, and December 31, 2010. Badall has not shown that he is entitled to mandamus relief regarding the newly-filed motions. *See In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135-36 (Tex. 2004); *In re Chavez*, 62 S.W.3d 225, 228 (Tex. App.—Amarillo 2001, orig. proceeding) (A trial court has a reasonable time to perform the ministerial duty of considering and ruling on a matter properly filed and before the court.). The petition for writ of mandamus is

therefore denied. *See In re Markowitz*, 998 S.W.2d 417, 418 (Tex. App.—Waco 1999, orig. proceeding); *see also* Tex. R. App. P. 52.8(a).

PETITION DENIED.

PER CURIAM

Submitted on November 24, 2010
Opinion Delivered February 10, 2011

Before McKeithen, C.J., Gaultney and Kreger, JJ.