



**IN THE
TENTH COURT OF APPEALS**

No. 10-17-00110-CR

IN RE KELLY LEE DICKEY

Original Proceeding

MEMORANDUM OPINION

Relator Kelly Dickey filed a petition for writ of mandamus on April 3, 2017 asking this Court to issue an order directing the trial court to make a ruling on his “motion to reopen time for appeal.” On April 19, 2017, this Court denied the petition for writ of mandamus noting that Dickey had not included a copy of the motion filed in the trial court. *See* TEX.R.APP.P. 52.7. Dickey has now provided a copy of that motion and has filed a motion for rehearing. We will grant the motion for rehearing, withdraw our prior opinion and judgment, and substitute the following opinion.

Relator’s petition for writ of mandamus is denied.

AL SCOGGINS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins

Motion granted; Petition denied
Opinion delivered and filed August 2, 2017

Do not publish

[OT06]

