

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00074-CV

Crae Robert Pease, Appellant

v.

Federal National Mortgage Association a/k/a Fannie Mae, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, COUNTY COURT AT LAW NO. 1
NO. C-1-CV-11-012006, HONORABLE J. DAVID PHILLIPS, JUDGE PRESIDING**

ORDER

Appellant Crae Robert Pease filed a petition seeking a writ of prohibition to preclude the trial court from holding a hearing on the appellee's motion to modify the security necessary to suspend enforcement of the judgment while the case is pending on appeal. Pease contends that the trial court lacks jurisdiction to hold a hearing or modify the security required to supersede the judgment.

“[T]he trial court has continuing jurisdiction to . . . (1) order the amount and type of security and decide the sufficiency of sureties; and (2) if circumstances change, modify the amount or type of security required to continue the suspension of a judgment's execution.” Tex. R. App. P. 24.3(a). We therefore deny the appellant's petition.

It is so ordered October 4, 2012

J. Woodfin Jones, Chief Justice

Before Chief Justice Jones, Justices Rose and Goodwin