

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-13-00095-CV

In re Patrick R. Cox

ORIGINAL PROCEEDING FROM TRAVIS COUNTY

MEMORANDUM OPINION

Patrick R. Cox has filed a petition for writ of mandamus concerning his attempt to supersede a judgment by filing an affidavit stating that he has a negative net worth. *See* Tex. R. App. P. 24.2(c). The judgment that Cox has attempted to supersede was appealed to this court but subsequently transferred, by order of the Texas Supreme Court, to the Seventh Court of Appeals. In that court, Cox has filed a “motion for review of trial court’s ruling on supersedeas and validity of appellant’s net worth affidavit.” *See* Tex. R. App. P. 24.4 (providing that party may seek review of trial court’s ruling on amount of security required by filing motion in court of appeals with jurisdiction over appeal from judgment). Because Cox has an adequate remedy under rule 24 of the Texas Rules of Appellate Procedure, his petition for writ of mandamus and emergency motion for enforcement of supersedeas are denied. *See* Tex. R. App. P. 52.8(a).

Scott King Field, Justice

Before Chief Justice Jones, Justices Goodwin and Field

Filed: February 15, 2013