

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-22-00660-CV**

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**In re Billie O. Stone**

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**ORIGINAL PROCEEDING FROM COMAL COUNTY**

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**MEMORANDUM OPINION**

Relator Billie O. Stone concurrently filed this and another identically styled petition for writ of mandamus, both of which complain of an allegedly fraudulent lien.<sup>1</sup> Each indicates that it is related to an appeal already pending before this Court.<sup>2</sup> We conclude that the record before us is insufficient to allow us to consider Stone’s petition. *See* Tex. R. App. P. 52.7(a)(1), (2). The rules of appellate procedure require a relator to file a certified or sworn copy of every document that is material to the relator’s claim for relief and that was filed in the underlying proceeding and a properly authenticated transcript of any relevant testimony from any underlying proceeding (including any exhibits offered in evidence) or a statement that no testimony was adduced in connection with the matter. *Id.* The filings in this case do not comply

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<sup>1</sup> The companion petition is *In re Billie O. Stone*, No. 03-22-00664-CV (Tex. App.—Austin filed Oct. 18, 2022). Both petitions were filed as *In re To a Fraudulent Purported Lien or Claim Against, Billie O. Stone and Patricia A. Stone* but have been modified to conform to Rule 52.1 of the Texas Rules of Appellate Procedure regarding the captioning of an original proceeding.

<sup>2</sup> *Billie O. Stone d/b/a Stobil Enterprise v. Randolph-Brooks Federal Credit Union*, No. 03-21-00422-CV (Tex. App.—Austin filed Aug. 26, 2021).

with the requirements of rule 52.7 and, most notably, do not include a copy of a district court order from which relief is sought.

Having reviewed the petition and the materials provided, we deny the petition for writ of mandamus. *See* Tex. R. App. P. 52.8(a).

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Thomas J. Baker, Justice

Before Justices Goodwin, Baker, and Kelly

Filed: November 8, 2022