

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-22-00664-CV

In re Billie O. Stone

ORIGINAL PROCEEDING FROM COMAL COUNTY

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.¹ Each indicates that it is related to an appeal already pending before this Court.² 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

¹ 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.

² *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).

Thomas J. Baker, Justice

Before Justices Goodwin, Baker, and Kelly

Filed: November 8, 2022