

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-22-00798-CV

In re Greg Abbott, in his Official Capacity as Governor of the State of Texas; Jaime Masters, in her Official Capacity as Commissioner of the Department of Family and Protective Services; and the Texas Department of Family and Protective Services

ORIGINAL PROCEEDING FROM TRAVIS COUNTY

MEMORANDUM OPINION

Relators have filed a petition for writ of mandamus and an emergency motion for stay, complaining that the trial court has refused to timely rule on their plea to the jurisdiction. *See* Tex. R. App. P. 52. Having reviewed the petition and the record provided, we deny the petition for writ of mandamus and the emergency motion for stay. *See id.* R. 52.8(a); *id.* R. 52.10; *see also In re Pablos*, No. 03-17-00662-CV, 2018 WL 699335, at *1 (Tex. App.—Austin Feb. 2, 2018, orig. proceeding) (mem. op.) (holding that relators did not demonstrate trial court abused its discretion by declining to rule on plea to jurisdiction less than three weeks after it was filed and before conducting temporary-injunction hearing); *In re Chavez*, 62 S.W.3d 225, 228-29 (Tex. App.—Amarillo 2001, orig. proceeding) (mem. op.) (explaining that “no bright line demarcates the boundaries of a reasonable time period” and scope of “reasonable time period” depends upon multiple criteria, including the trial court’s “overt refusal to act on [the plea], the state of the court’s docket, and the existence of other judicial and administrative matters which must be addressed

first. So too must the trial court's inherent power to control its own docket be factored into the mix." (citations omitted)).

Gisela D. Triana, Justice

Before Chief Justice Byrne, Justices Triana and Smith

Filed: December 20, 2022