

DENY; and Opinion Filed April 5, 2013.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-13-00379-CV

IN RE PATRICK BOUVIA KIMBLE, Relator

**On Appeal from the 195th Judicial District Court
Dallas County, Texas**

MEMORANDUM OPINION

Before Justices O'Neill, Lang-Miers, and Evans
Opinion by Justice Lang-Miers

Relator contends the trial court violated a ministerial duty by not properly ruling on his motion for judgment nunc pro tunc. The facts and issues are well known to the parties, so we need not recount them herein. Based on the record before us, we conclude relator has not shown he is entitled to the relief requested. *See* TEX. R. APP. P. 52.8(a); *Simon v. Levario*, 306 S.W.3d 318, 320-21 (Tex. Crim. App. 2009) (orig. proceeding); *State of Tex. ex rel. Hill v. Court of Appeals for the Fifth Dist.*, 34 S.W.3d 924, 927 (Tex. Crim. App. 2001) (orig. proceeding). Accordingly, we **DENY** relator's petition for writ of mandamus.

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE