

DENY; and Opinion Filed September 26, 2013.



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

No. 05-13-01319-CV

IN RE ALLISON HOLLINGSWORTH, Relator

**On Appeal from the 429th Judicial District Court
Collin County, Texas
Trial Court Cause No. 429-00556-2011**

MEMORANDUM OPINION

Before Justices Bridges, Francis, and Lewis
Opinion by Justice Lewis

Relator contends the trial judge erred in entering a judgment after the court's plenary jurisdiction had expired. The facts and issues are well known to the parties, so we need not recount them herein. The agreed judgment in question was signed by the trial court on December 19, 2012, prior to the attempted dismissal of the case on May 20, 2013. A judgment is effective when signed, not when it is entered into the court's minutes. *See Truelove v. Truelove*, 266 S.W.2d 491, 493 (Tex. Civ. App.—Amarillo 1953, writ ref'd); *see also Newsom v. Ballinger Ind. School Dist.*, 215 S.W.2d 375, 378 (Tex. App.—Austin 2006, no pet.), TEX. R. CIV. P. 306a. Therefore, based on the record before us, the December 19 judgment was effective and the trial court has jurisdiction over the post-judgment discovery filed by real party in interest. We conclude relator has not shown she is entitled to the relief requested. *See* TEX. R. APP. P. 52.8(a); *Walker v. Packer*, 827 S.W.2d 833, 839-40 (Tex. 1992) (orig. proceeding).

Accordingly, we **DENY** relator's petition for writ of mandamus and motion for emergency relief.

/David Lewis/

DAVID LEWIS
JUSTICE

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