

**DENY; and Opinion Filed December 2, 2013.**



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

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**No. 05-13-01534-CV**

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**IN RE JOHN WESLEY PATTERSON, Relator**

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**Original Proceeding from the 416th Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 416-82554-05**

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**OPINION**

Before Justices FitzGerald, Lang, and Myers  
Opinion by Justice FitzGerald

Relator contends the trial court violated a ministerial duty by not following a prior order of this Court. 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.

/Kerry P. FitzGerald/  
KERRY P. FITZGERALD  
JUSTICE

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