

Denied and Opinion Filed September 1, 2016



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

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No. 05-16-01030-CV

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**IN RE: TRACY NIXON, Relator**

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**On Appeal from the 301st Judicial District Court**  
**Dallas County, Texas**  
**Trial Court Cause No. DF-00-14691-T**

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**MEMORANDUM OPINION**

Before Chief Justice Wright and Justices Lang and Brown  
Opinion by Chief Justice Wright

Before the Court is relator's single-page petition for writ of mandamus filed on August 30, 2016. Relator complains of the trial court's purported refusal to hold a hearing on relator's request to terminate his parental rights. Relator has not included a copy of the motion to terminate his parental rights or his request for hearing, and does not explain when or how the trial court denied the request for hearing. The petition is not certified and includes no appendix or record.

An appellate court must deny mandamus relief if the relator's petition fails to comply with the requirements of Rule 52.3 in such a manner that the appellate court is precluded from conducting a meaningful review of the trial court's order. *See In re Layton*, No. 07-07-0490-CV, 2007 WL 4531939, \*1 (Tex. App.—Amarillo Dec.19, 2007, orig. proceeding). Further, where the complaint concerns the trial court's failure to act, the mandamus record must show the

motion has been actually brought to the trial court's attention or presented for a ruling. *See In re Layton*, 257 S.W.3d 794, 795 (Tex. App.—Amarillo 2008, orig. proceeding).

Here, relator's petition fails to meet the requirements of Rules 52.3(j), 52.3(k), and 52.7(a)(1) of the Texas Rules of Appellate Procedure, and the Court is unable to conduct a meaningful review of the orders of which relator complains. TEX. R. APP. P. 52.3(j), 52.3(k), 52.7(a)(1); *see also In re Spencer*, 05-04-00055-CV, 2004 WL 68149, at \*1 (Tex. App.—Dallas Jan. 16, 2004, orig. proceeding) (mem. op.) (denying petition for failure to comply with requirements of rule 52).

The Court **DENIES** relator's petition for writ of mandamus.

/Carolyn Wright/  
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CAROLYN WRIGHT  
CHIEF JUSTICE

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