

Denied and Opinion Filed August 24, 2017



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-00616-CV

IN RE ALEXUS R. JONES, Relator

Original Proceeding from the 254th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-05-11000

MEMORANDUM OPINION

Before Justices Francis, Brown, and Whitehill
Opinion by Justice Francis

In this original proceeding, relator complains of several trial court orders, including a June 20, 2016 enforcement order, she contends are void for lack of jurisdiction. She also complains that the June 20, 2016 enforcement order is a default judgment that should be set aside because she allegedly did not receive notice of the hearing. We deny the relief requested.

To be entitled to mandamus relief, a relator must show both that the trial court has clearly abused its discretion and that relator has no adequate appellate remedy. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). Based on the record before us, we conclude relator has not shown she is entitled to the relief requested. The orders complained of are not void and the trial court did not abuse its discretion by rendering those orders. Further, relator did not seek to set aside the default judgment until more than six months had passed since entry of the order. That order is final and may not be collaterally attacked through an original proceeding in this Court.

Accordingly, we deny relators' petition for writ of mandamus. . See TEX. R. APP. P. 52.8(a) (the court must deny the petition if the court determines relator is not entitled to the relief sought).

/Molly Francis/
MOLLY FRANCIS
JUSTICE

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