

Denied and Opinion Filed June 11, 2018



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-18-00633-CV
No. 05-18-00634-CV

IN RE DARLENE C. BALISTRERI-AMRHEIN, Relator

Original Proceeding from the County Court at Law No. 6
Collin County, Texas
Trial Court Cause Nos. 006-02654-2017 and 005-02654-2017

MEMORANDUM OPINION

Before Justices Francis, Evans, and Schenck
Opinion by Justice Francis

Before the Court is relator's May 30, 2018 petition for writ of mandamus in which she complains of a May 14, 2018 order declaring her a vexatious litigant. 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). It is relator's burden to provide the court with a record sufficient to establish her right to relief. *Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992); TEX. R. APP. P. 52.3, 52.7.

Based on the record before us, we conclude relator has not shown she is entitled to the relief requested. Relator has not provided the Court with a certified or sworn copy of the order complained of and she has an adequate remedy by appeal. *See In re Jackson*, No. 07-15-00429-CV, 2015 WL 8781272, at *1 (Tex. App.—Amarillo Dec. 11, 2015, orig. proceeding) (mem. op.) (mandamus denied because relator had adequate remedy by appeal to seek review of order finding

relator a vexatious litigant and dismissing his claims). Accordingly, we deny relator's 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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