

DENY; and Opinion Filed December 10, 2018.



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

No. 05-18-01235-CV

IN RE PAMELA JANSON, Relator

**Original Proceeding from the 469th Judicial District Court
Collin County, Texas
Trial Court Cause No. 469-54543-2016**

MEMORANDUM OPINION

Before Justices Lang-Miers, Fillmore, and Stoddart
Opinion by Justice Stoddart

In this original proceeding, relator complains the trial court abused its discretion by holding her in contempt for violating a modification order in a suit affecting the parent-child relationship. An individual who is held in contempt, but not subject to confinement, may seek relief by petition for writ of mandamus. *In re Reece*, 341 S.W.3d 360, 370 (Tex. 2011) (orig. proceeding) (citing *In re Long*, 984 S.W.2d 623, 625 (Tex. 1999) (orig. proceeding) (per curiam)); *In re D.C.S.*, No. 05-18-00750-CV, 2018 WL 4237567, at *1 (Tex. App.—Dallas Sept. 6, 2018, no pet.) (mem. op.) (“[P]arty seeking review of a contempt order that does not involve confinement may file a petition for writ of mandamus.”). Mandamus, however, is an extraordinary remedy, *In re Sw. Bell Tel. Co., L.P.*, 235 S.W.3d 619, 623 (Tex. 2007) (orig. proceeding), and a writ will issue only when (1) the trial court clearly abused its discretion, and (2) the relator has no adequate remedy by appeal, *In re Reece*, 341 S.W.3d at 364. A trial court clearly abuses its discretion if it reaches a decision so arbitrary and unreasonable as to amount to a clear and prejudicial error of law or if it clearly

fails to correctly analyze or apply the law. *In re Cerberus Capital Mgmt., L.P.*, 164 S.W.3d 379, 382 (Tex. 2005) (orig. proceeding) (per curiam).

Based on the record before us, we conclude relator has not shown she is entitled to the relief requested. 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).

/Craig Stoddart/
CRAIG STODDART
JUSTICE

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