

DENY and Opinion Filed September 29, 2020



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

No. 05-20-00706-CV

IN RE L.C. AKA S.R.M., Relators

**Original Proceeding from the 330th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-20-07925Y**

MEMORANDUM OPINION

Before Justices Myers, Molberg, and Evans
Opinion by Justice Evans

Before the Court is relators' July 29, 2020 petition for writ of mandamus. In their petition, relators challenge the trial court's order granting real party in interest's petition for bill of review, which set aside the final order of adoption and reopened the case.

After reviewing relators' petition, real party's response, and the mandamus record, we conclude that the petition does not comply with the Texas Rules of Appellate Procedure in multiple respects. To start, the petition is not signed. *See* TEX. R. APP. P. 9.1 (requiring all filings to be signed); *In re Hargesheimer*, No. 07-03-0553-CV, 2004 WL 42261, at *1 (Tex. App.—Amarillo Jan. 8, 2004, orig.

proceeding) (denying mandamus petition because it was unsigned, among other reasons). Relators have also failed to file either a reporter's record from the bill of review hearing or a statement that no testimony was taken. *See* TEX. R. APP. P. 52.7(a)(2); *In re Daniels*, No. 05-20-00501-CV, 2020 WL 2715406, at *1 (Tex. App.—Dallas May 26, 2020, orig. proceeding) (denying mandamus petition for relator's failure to file a reporter's record or statement that no testimony was taken, among other reasons). Further, relators have not supplied a proper copy of the July 8, 2020 order granting the bill of review. *See* TEX. R. APP. P. 52.3(k), 52.7(a)

Accordingly, we deny the petition for writ of mandamus without prejudice to refiling a petition that satisfies the requirements of the Texas Rules of Appellate Procedure. We also lift our stay order issued on August 5, 2020.

/David Evans/
DAVID EVANS
JUSTICE

200706F.P05