

DENIED and Opinion Filed September 26, 2023



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

No. 05-23-00909-CV

IN RE ELIZABETH C. PORTTEUS, Relator

**Original Proceeding from the 303rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-16-00119**

MEMORANDUM OPINION

Before Justices Reichek, Smith, and Kennedy
Opinion by Justice Smith

Relator Elizabeth C. Portteus, who is proceeding pro se, filed a petition for writ of mandamus wherein she complains about an August 18, 2023 Final Order in Suit to Modify Parent–Child Relationship (the Final Order). Relator contends she lacked adequate notice and participation in the proceedings below and makes generalized complaints about (1) judges, an amicus attorney, and guardian ad litem not fulfilling their duties; (2) child-support-calculation flaws; (3) “decisions” not being in the children’s best interest; and (4) the judiciary’s failure to recognize her communications about the appointment of a new legal representative.

Relator’s petition does not comply with the Texas Rules of Appellate Procedure in numerous respects. For instance, she captioned her petition incorrectly,

styling it with the initials of her minor children rather than her name. *See* TEX. R. APP. P. 52.1, .2. The petition also does not identify the specific respondent(s) at issue, *see* TEX. R. APP. P. 52.2., and is not supported by a sufficient record or appendix. *See* TEX. R. APP. P. 52.3(k)(1)(A), 52.7(a). Although relator attached a certified copy of the Final Order, none of the other documents attached to her petition are certified or sworn copies. Based on the complaints presented, relator's record is also incomplete. Additionally, the petition lacks clear and concise arguments for the contentions made with appropriate citations to authorities and to the appendix or record. TEX. R. APP. P. 52.3(h).

In any event, entitlement to mandamus relief requires relator to show that the trial court clearly abused its discretion and that relator lacks an adequate appellate remedy. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). After reviewing relator's petition and the record before us, we conclude that relator has failed to demonstrate she lacks adequate remedy by appeal.

Accordingly, we deny the petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a). To the extent relator requests any emergency or other relief in her petition, those requests are denied as moot.

Additionally, based on our review, the appendix attached to relator's petition contains unredacted sensitive data, including the names, birthdates, and addresses of minors in violation of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 9.9.

Accordingly, we **STRIKE** the petition and its attached appendix.

/Craig Smith/
CRAIG SMITH
JUSTICE

230909F.P05