

Opinion issued January 27, 2011



In The  
Court of Appeals  
For the  
First District of Texas

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NO. 01-10-00915-CV

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IN RE ANTHONY W. NORMAN, JR., Relator

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Original Proceeding on Petition for Writ of Mandamus

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**MEMORANDUM OPINION**

Relator, Anthony W. Norman, Jr., filed a petition for writ of mandamus seeking to compel Judge Dan Hinde of the 269th District Court to sign an order granting expunction.<sup>1</sup>

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<sup>1</sup> The Honorable Dan Hinde, judge of the 269th District Court of Harris County, Texas. The underlying lawsuit is *Ex parte Anthony W. Norman, Jr.*, No. 2009-59663 (269th Dist. Ct., Harris County, Tex.).

We deny the petition for writ of mandamus. Relator has failed to include with his petition a certification that he has reviewed the petition and concluded that every factual statement is supported by competent evidence included in the appendix or record. TEX. R. APP. P. 52.3(j); *In re Butler*, 270 S.W.3d 757, 758 (Tex. App.—Dallas 2008, orig. proceeding) (“However, the relator must comply with the current requirement of rule 52.3(j) by certifying the factual statements contained in the petition are supported by competent evidence included in the appendix or record. The relators have not done this, and, thus, their certification does not meet the requirement of rule 52.3(j).”).

Relator has also failed to include certified or sworn copies of documents showing the matters of which he complains in the appendix and the record. *See* TEX. R. APP. P. 52.3(k)(1)(A) (requiring relator to include, as part of appendix, “certified or sworn copy of . . . any other document showing the matter complained of”); TEX. R. APP. P. 52.7(a) (requiring relator to file with petition “certified or sworn copy of every document that is material to the relator’s claim for relief and that was filed in any underlying proceeding” and “a properly authenticated transcript of any relevant testimony from any underlying proceeding, including any exhibits offered in evidence”).

All pending motions are denied as moot.

**PER CURIAM**

Panel consists of Justices Keyes, Sharp, and Massengale.