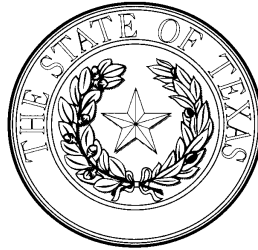


Opinion issued October 26, 2017



In The
Court of Appeals
For The
First District of Texas

NOS. 01-17-00477-CR, 01-17-00478-CR, and 01-17-00479-CR

IN RE ROY E. USSERY, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Roy Ussery has filed a petition for writ of mandamus asking that we order the trial court to stop the State's delays and to go forward with trial, and to order the trial court to release him on a pretrial personal recognizance bond.*

* The underlying cases are *The State of Texas v. Roy Ussery*, cause numbers 1459846, 1460001, and 1475966, pending in the 338th District Court of Harris County, Texas, the Honorable Ramona Franklin presiding.

When a relator files a petition for writ of mandamus, it is his burden to prove entitlement to the relief requested. *See Johnson v. Fourth Dist. Ct. of Appeals*, 700 S.W.2d 916, 917 (Tex. 1985). The relator also has the burden to include a record sufficient to prove a right to relief, including any motions filed that indicate the trial court was apprised of his motions and did not rule in a reasonable time. *See* TEX. R. APP. P. 52.3(k), 52.7(a).

Ussery has not established his entitlement to relief because he has not presented a record sufficient to show that he requested relief in the trial court regarding delays and bail. The record does not establish that Ussery submitted his requests to the trial court or when relief was requested.

We deny the petition for writ of mandamus. Any pending motions are dismissed as moot.

PER CURIAM

Panel consists of Justices Higley, Massengale, and Lloyd.

Do not publish. TEX. R. APP. P. 47.2(b).