

Opinion issued November 1, 2018



In The
Court of Appeals
For The
First District of Texas

NO. 01-18-00253-CV

IN RE JAMES ALLEN MARTINSON, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, James Allen Martinson, filed a petition for a writ of mandamus seeking to vacate the respondent district judge's enforcement order as void in the underlying modification proceeding.¹ This Court granted the relator's motion for emergency stay of the enforcement order and requested and received a response.

¹ The underlying proceeding is *In the Matter of the Marriage of Darla Joyce Martinson and James Allen Martinson*, Cause No. 93631-F, in the 300th District Court, Brazoria County, the Honorable Randall Hufstetler presiding.

Relator has filed a motion for continuance of the November 5, 2018 trial date, the real party in interest filed a response and a motion for reconsideration of the stay order, and relator has filed an emergency motion to stay all trial court proceedings.

We lift this Court's stay and deny the mandamus petition. *See* TEX. R. APP. P. 52.8(a), (d). We dismiss all pending motions as moot.

PER CURIAM

Panel consists of Justices Keyes, Massengale, and Brown.