

Petition for Writ of Mandamus Denied and Memorandum Opinion filed December 20, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-01054-CV

IN RE KENNETH B. GREEN, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
312th District Court
Harris County, Texas
Trial Court Cause No. 2011-70382**

MEMORANDUM OPINION

On December 9, 2011, relator filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code § 22.221; *see also* Tex. R. App. P. 52. Relator complains that respondent, the Honorable David D. Farr, presiding judge of the 312th District Court of Harris County, Texas, abused his discretion by not signing an agreed final judgment and holding an adjudicatory hearing.

Relator characterizes the trial court's order as a dismissal for want of prosecution without a hearing and claims the trial court abused his discretion for failing to enter an agreed judgment. The record, however, reflects that on February 15, 2010, the trial court

dismissed the underlying suit for want of prosecution. On November 13, 2011, relator filed a Proposed Agreed Final Judgment on Bill of Review. On November 18, 2011, relator filed a bill of review. The trial court signed an order denying the bill of review on November 29, 2011.

The denial of a petition for bill of review is appealable. *See Manley v. Parsons*, 112 S.W.3d 335, 337 (Tex. App. -- Corpus Christi 2011, pet. denied) (setting forth standard of review on appeal from the grant or denial of a bill of review). Because relator has an adequate remedy at law, we deny his petition for writ of mandamus. *See Walker v. Packer*, 827 S.W.2d 833, 840 (Tex. 1992).

PER CURIAM

Panel consists of Justices Brown, Boyce and McCally.