

Petition for Writ of Habeas Corpus Denied and Memorandum Opinion filed  
October 4, 2012.



In The

**Fourteenth Court of Appeals**

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NO. 14-12-00855-CV

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**IN RE VALERIE UDOBAKU OJI, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF HABEAS CORPUS  
On Appeal from the 311th District Court  
Harris County, Texas  
Trial Court Cause No. 2001-46524**

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**MEMORANDUM OPINION**

On September 19, 2012, relator, Valerie Udobaku Oji, filed a petition for writ of habeas corpus in this Court. *See* Tex. Gov't Code Ann. §22.221 (Vernon 2004); *see also* Tex. R. App. P. 52. Relator alleges she is under illegal restraint from three orders holding her in contempt for failure to pay child support. Commitment has been suspended.

As to all three orders, relator claims the order is void because she was not given notice of the hearing. The first order was purportedly signed November 11, 2010. The entire order is not in the record, but on the first page the order states relator "appeared in person and without counsel and announced ready for trial." The second order was signed

March 3, 2011, and states relator appeared in person and by attorney. The third order, signed April 13, 2011, states relator appeared in person and by attorney and that the hearing was recorded by a court reporter. No record of the hearing was filed.

The record before this court reflects relator was present. Nothing in the record demonstrates a lack of notice. Moreover, the record does not reflect relator objected to a lack of notice, challenged the jurisdiction of the trial court, or asked for a continuance. *See Ex parte Waldrep*, 783 S.W.2d 332, 334 (Tex. App. -- Houston [14th Dist.] 1990, orig. proceeding). The record does not demonstrate the lack of notice, if any, had an adverse effect upon the relator's ability to protect her interest or defend herself. *See id.* Accordingly, relator has not established a denial of due process.

Because relator has not established she is entitled to relief, we deny her petition for writ of habeas corpus.

PER CURIAM

Panel consists of Justices Frost, Christopher, and Jamison.