

Petition for Writ of Mandamus Denied and Memorandum Majority and Dissenting Opinions filed October 27, 2022.



In The

Fourteenth Court of Appeals

NO. 14-22-00682-CV

**IN RE EQUINOR TEXAS ONSHORE PROPERTIES F/K/A STATOIL
TEXAS ONSHORE PROPERTIES LLC; EQUINOR MARKETING &
TRADING (US) INC.; AND EQUINOR NATURAL GAS LLC, Relators**

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
295th District Court
Harris County, Texas
Trial Court Cause No. 2022-05368**

MEMORANDUM DISSENTING OPINION

Relators have not complied with the mandatory provision of Texas Rule of Appellate Procedure 52.3(j) (“The person filing the petition must certify that he or she has reviewed the petition and concluded that every factual statement in the petition is supported by competent evidence included in the appendix or record.”). Tex. R. App. P. 52.3(j). Following this court’s precedent in *Kholaif*, I would give relators ten-days notice of involuntary dismissal for not complying with Rule 52.3(j).

In re Kholaiif, 624 S.W.3d 228, 231 (order), *mand. disp'd*, 615 S.W.3d 369 (Tex. App.—Houston [14th Dist.] 2020) (orig. proceeding).

I respectfully dissent from the court's failure to provide notice and an opportunity to cure. I would not rule on the petition for a writ of mandamus at this time and express no opinion on the merits of the petition.

/s/ Charles A. Spain
Justice

Panel consists of Justices Spain, Poissant, and Wilson (Spain, J., dissenting).