

**Petition for Writ of Mandamus Denied and Memorandum Majority and Dissenting Opinions filed October 21, 2022.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-22-00753-CV**

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**IN RE PEARLAND URBAN AIR, LLC, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
270th District Court  
Harris County, Texas  
Trial Court Cause No. 2022-17046**

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**MEMORANDUM DISSENTING OPINION**

Relator has 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 relator 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 (Poissant, M., majority).