

Petition for Writ of Mandamus Dismissed and Memorandum Majority and Dissenting Opinions filed August 31, 2023.



In The

Fourteenth Court of Appeals

NO. 14-23-00551-CV

IN RE LOYD LANDON SORROW SENIOR, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
334th District Court
Harris County, Texas
Trial Court Cause No. 2017-33383**

MEMORANDUM DISSENTING OPINION

While I agree that relator’s petition is deficient for not providing a record as required by Texas Rule of Appellate Procedure 52.7, the petition also does not comply with Rule 52.3(h) by containing “a clear and concise argument for the contentions made.” Tex. R. App. P. 52.3(h), 52.7(a). It is not clear to me what

action by the respondent judge is properly the subject of review by mandamus in light of the pending appeal in case number 14-23-00314-CV.

Before jumping directly to dismissal, I would give relator notice of an involuntary dismissal for want of prosecution and an opportunity to cure by filing an amended petition. Because the court does not afford relator this due process, I dissent.

/s/ Charles A. Spain
Justice

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