

*Court of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-12-00380-CR

**IN RE Patrick TYLER**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Karen Angelini, Justice  
Santee Bryan Marion, Justice  
Steven C. Hilbig, Justice

Delivered and Filed: July 5, 2012

PETITION FOR WRIT OF MANDAMUS DENIED

On June 22, 2012, Relator Patrick Tyler filed a petition for writ of mandamus, complaining the trial court failed to timely conduct a hearing. Relator has the burden of providing this court with a record sufficient to establish his right to mandamus relief. *See* TEX. R. APP. P. 52.7(a) (“Relator must file with the petition [ ] a certified or sworn copy of every document that is material to the relator’s claim for relief and that was filed in any underlying proceeding”); *see also* TEX. R. APP. P. 52.3(k)(1)(A); *Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992). Relator has failed to provide this court with a record showing presentment of a motion to the trial court and the trial court’s failure to rule on such.

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<sup>1</sup> This proceeding arises out of Cause No. 2011CR10654, styled *State of Texas v. Patrick Tyler*, pending in the 175th Judicial District Court, Bexar County, Texas, the Honorable Mary D. Roman presiding.

Based on the foregoing, we conclude Relator has not shown himself entitled to mandamus relief. Accordingly, Relator's petition for writ of mandamus is DENIED. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM

DO NOT PUBLISH