

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



MEMORANDUM OPINION

No. 04-12-00658-CR

IN RE Darrell Eugene BATES

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Phylis J. Speedlin, Justice
Steven C. Hilbig, Justice

Delivered and Filed: October 31, 2012

PETITION FOR WRIT OF MANDAMUS DENIED

On October 11, 2012, Relator Darrell Eugene Bates filed a petition for writ of mandamus, complaining the trial court failed to grant his requested motion for expunction. However, the relator bears the burden of providing this court with a record sufficient to establish his right to mandamus relief and the relator has failed to provide copies of the documents he filed before the trial court. *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) (orig. proceeding). Relator has failed to provide this court with a record establishing his right to mandamus relief and we therefore conclude that he has not shown

¹ This proceeding arises out of Cause No. 2011CR1251W, styled *State of Texas v. Darrell Eugene Baker*, pending in the 290th Judicial District Court, Bexar County, Texas, the Honorable Melisa Skinner presiding.

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DO NOT PUBLISH