



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

**MEMORANDUM OPINION**

No. 04-13-00286-CV

Alberto **TREVINO**, III and Eloisa Trevino-Yglecias,  
Appellants

v.

Ethelina Gloria Lopez **TREVINO**, Individually, and on Behalf of the Estate of Alberto Trevino,  
Jr.,  
Appellee

From the 49th Judicial District Court, Zapata County, Texas  
Trial Court No. 8,257  
Honorable Jose A. Lopez, Judge Presiding

PER CURIAM

Sitting: Rebeca C. Martinez, Justice  
Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice

Delivered and Filed: August 21, 2013

REVERSED AND RENDERED, TEMPORARY INJUNCTION DISSOLVED

Appellants Alberto Trevino, III and Eloisa Trevino-Yglecias bring this interlocutory appeal challenging the trial court's order granting a temporary injunction. Based on this court's opinion in a related mandamus proceeding, we reverse the judgment of the trial court and render judgment dissolving the temporary injunction. *See In re the Estate of Alberto Trevino, Jr.*, No. 04-13-00404-CV (Tex. App.—San Antonio Aug. 21, 2013) (orig. proceeding), issued simultaneously with this opinion.

On June 24, 2013, relator Alberto Trevino, III filed a petition for writ of mandamus complaining of the trial court's order transferring the underlying probate proceeding from the constitutional county court in Zapata County to the 49th Judicial District Court in Zapata County. This court concluded that the county court abused its discretion in transferring the underlying probate proceeding to the district court before a matter in the proceeding had become contested. We further held that the district court's subsequent orders were void. We thus conditionally granted relator's petition for writ of mandamus and returned the cause to the constitutional county court in Zapata County for further proceedings. *See In re the Estate of Alberto Trevino, Jr.*, No. 04-13-00404-CV.

Accordingly, we hold that the district court acted without jurisdiction in granting the temporary injunction at issue in this interlocutory appeal, and therefore the order granting temporary injunction is void. The trial court's order granting the temporary injunction is reversed, and judgment is rendered dissolving the temporary injunction. The motion for temporary orders filed by appellee on July 15, 2013 is denied as moot.

PER CURIAM