



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-17-00373-CV

IN RE Oscar J. MUNOZ

Original Proceeding¹

PER CURIAM

Sitting: Marialyn Barnard, Justice
Luz Elena D. Chapa, Justice
Irene Rios, Justice

Delivered and Filed: June 21, 2017

PETITION FOR WRITS OF MANDAMUS, PROHIBITION, AND INJUNCTION DENIED

On June 9, 2017, relator filed a petition for writ of mandamus. The court has considered the petition and is of the opinion that relator is not entitled to the relief sought. *See* TEX. R. CIV. P. 329b(c) (stating that if motion to modify, correct or reform judgment is not determined by written order signed within seventy-five days after judgment was signed, motion shall be overruled by operation of law on expiration of that period); *id.* R. 329b(e) (stating that if timely motion for new trial is filed, trial court, regardless of whether appeal has been perfected, has plenary power to grant new trial or vacate, modify, correct, or reform judgment until thirty days after all such timely-filed motions are overruled, either by written and signed order or by operation of law,

¹ This proceeding arises out of Cause No. 2017PB7000003L1, styled *Estate of Leonor Valdez Munoz*, pending in the County Court at Law No. 1, Webb County, Texas, the Honorable Hugo Martinez, presiding.

whichever occurs first). Accordingly, the petition for writ of mandamus is denied. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM