

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00110-CV

IN RE ROBERT NORMAN SMITHBACK

Original Proceeding
411th District Court of Polk County, Texas
Trial Cause No. CIV29146

MEMORANDUM OPINION

Robert Norman Smithback complains that the judge presiding in the 411th District Court of Polk County denied Smithback's motions to enter a default judgment, to compel discovery, and for a bench warrant, then failed to rule promptly when Smithback requested the same relief in new motions that he filed with the trial court. Also, Smithback complains that the trial court denied his motion for a restraining order without first issuing a bench warrant.

We have considered Smithback's petition and the attached record, and we conclude that he has not established an abuse of discretion by the trial court. *See*

Walker v. Packer, 827 S.W.2d 833, 839-40 (Tex. 1992). We deny the petition for writ of mandamus. *See* Tex. R. App. P. 52.8(a).

PETITION DENIED.

PER CURIAM

Submitted on May 4, 2016
Opinion Delivered May 5, 2016

Before McKeithen, C.J., Kreger and Horton, JJ.