

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-18-00428-CV

IN RE CLARENCE D. BROWN

Original Proceeding
435th District Court of Montgomery County, Texas
Trial Cause No. 10-03-02609-CV

MEMORANDUM OPINION

In a mandamus petition, Clarence D. Brown, asks this Court to compel the trial court to either release Brown from civil commitment or order outpatient treatment. Brown has been subject to civil commitment as a sexually violent predator since 2010. According to Brown, a psychological or psychiatric examination was conducted on July 28, 2017, as part of a biennial review. On February 16, 2018, the trial court signed a Biennial Review Order wherein the trial court concluded that Brown should remain civilly committed without modification. *See generally* Tex. Health & Safety Code Ann. § 841.101-.102 (West 2017). Brown argues the trial court's order is void and he is entitled to immediate release from civil commitment

due to irregularities that Brown claims occurred in previous biennial reviews. Additionally, he argues he is currently subjected to unauthorized “inpatient” commitment.

After reviewing the mandamus petition and the documents contained in the appendix, we conclude that Brown has not established that the trial court committed a clear abuse of discretion. *See In re Commitment of Marks*, 230 S.W.3d 241, 244 (Tex. App.—Beaumont 2007, no pet.) (an abuse of discretion occurs only when a trial court’s decision is arbitrary, unreasonable, and without reference to guiding principles). Accordingly, we deny the petition for a writ of mandamus.

PETITION DENIED.

PER CURIAM

Submitted on December 5, 2018
Opinion Delivered December 6, 2018

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