

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-19-00437-CV**

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**IN RE MICHAEL CORBELLO**

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**Original Proceeding**  
**128th District Court of Orange County, Texas**  
**Trial Cause No. A190424-C**

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**MEMORANDUM OPINION**

In a mandamus petition, Michael Corbello complains that the trial court has failed to hold a hearing on a bill of review that Corbello filed concerning a plea bargain agreement in a criminal case. An equitable bill of review has no application to criminal cases. *McLean v. State*, 171 S.W.2d 889, 890 (Tex. Crim. App. 1943). A writ of mandamus will not issue if the relator seeks a remedy that is unavailable. *In re Patton*, No. 06-12-00024-CR, 2012 WL 629153, at \*1 (Tex. App.—Texarkana Feb. 28, 2012, orig. proceeding) (mem. op.) (denying mandamus petition seeking to

compel trial court to act on a petition for a bill of review regarding a criminal conviction). We deny the petition for a writ of mandamus.

PETITION DENIED.

PER CURIAM

Submitted on December 11, 2019  
Opinion Delivered December 12, 2019

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