

NO. 07-12-00406-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL B  
OCTOBER 17, 2012

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IN RE R. WAYNE JOHNSON, RELATOR

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Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

**MEMORANDUM OPINION**

Relator, R. Wayne Johnson, appearing *pro se*, has filed a petition seeking a writ of mandamus<sup>1</sup> requiring respondent, the Honorable Gordon H. Green, Judge of the 287th District Court of Bailey County, to rescind a November 2011 order dismissing the claims Johnson filed in the case styled *Johnson v. Denton*, No. 8972 (287th Dist. Ct. Bailey County, Tex. Nov. 18, 2011). Johnson perfected an appeal from the trial court's November 2011 order, but later filed a motion to dismiss the appeal voluntarily. On his motion, we dismissed the appeal by opinion and judgment of July 18, 2012. *Johnson v. Denton*, No. 07-11-00486-CV, 2012 Tex. App. Lexis 5794 (Tex.App.--Amarillo July 18, 2012, no pet.). According to Johnson's mandamus petition, the trial court's order was not final.

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<sup>1</sup> Johnson included in his petition a motion to transfer this proceeding to another court of appeals. By order of the Supreme Court of Texas, the motion was denied. Misc. Docket No. 12-9160 (Tex. Sept. 27, 2012).

We now deny mandamus relief. Johnson's petition wholly fails to comply with the requirements of appellate rule 52.3. Tex. R. App. P. 52.3. Further, it does not demonstrate a clear abuse of discretion by Judge Green. See *Walker v. Packer*, 827 S.W.2d 833, 839 (Tex. 1992) (explaining “[m]andamus issues only to correct a clear abuse of discretion”).

Relator's petition for writ of mandamus is denied.

Per Curiam