



**IN THE
TENTH COURT OF APPEALS**

No. 10-20-00228-CR

IN RE ERIC DWIGHT HENDRIX

Original Proceeding

MEMORANDUM OPINION

On September 9, 2020, relator, Eric Hendrix, filed what he has styled as a “Petition for Writ of Mandamus and Plea in Abatement,” which relator indicates is an amendment to his prior mandamus petition and plea in abatement filed on August 27, 2020. In his September 9, 2020 filing, relator makes a number of assertions challenging his underlying conviction for assault and requests sixty days “to initiate a petition for writ of mandamus and application for writ of error and to make an entry of his plea in abatement in seek of order abating the judgment” Based on our review, we construe this document to be a petition for writ of mandamus and have filed it as such. After review, we deny relator’s

September 9, 2020 mandamus petition.¹ The requested relief does not follow because relator can no longer add any evidence to the trial-court record. The time has run for that to be done.

JOHN E. NEILL
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Neill

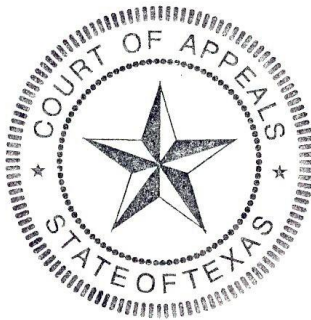
(Chief Justice Gray dissenting with a note)*

Petition denied

Opinion delivered and filed October 14, 2020

[OT06]

*(Chief Justice Gray dissents. A separate opinion will not issue.)



¹ In conjunction with his September 9, 2020 mandamus petition, relator also filed a motion for leave to file the mandamus petition. In light of our disposition, we dismiss this motion as moot.