



**IN THE  
TENTH COURT OF APPEALS**

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**No. 10-17-00426-CR**

**IN RE JENNIFER LEIGH ALVAREZ**

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**Original Proceeding**

**From the 66th District Court  
Hill County, Texas  
Trial Court No. 36,466**

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**MEMORANDUM OPINION  
ON REHEARING EN BANC**

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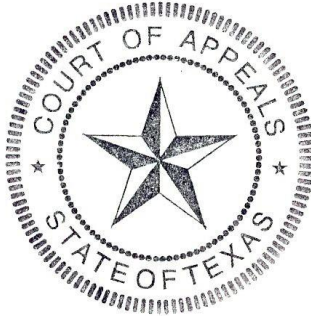
On January 9, 2019, this court denied relator Jennifer Leigh Alvarez's petition for writ of mandamus. On July 20, 2020, relator's motion for rehearing was denied after a majority of the justices who participated in the decision did not agree. *See* TEX. R. APP. P. 49.3. Also on July 20, 2020, relator's motion for rehearing en banc was granted by order of a majority of the court pursuant to Rule 49.7. *Id.* 49.7. The court requested a response to relator's petition for writ of mandamus be filed within thirty (30) days. No response has been filed.

Our opinion and judgment of January 9, 2019 are withdrawn, and this memorandum opinion and judgment are substituted.

Relator's petition for writ of mandamus is denied.

MATT JOHNSON  
Justice

Before Chief Justice Gray,<sup>1</sup>  
Justice Neill, and  
Justice Johnson  
(Chief Justice Gray dissenting)  
Petition denied  
Opinion delivered and filed February 3, 2021  
Do not publish  
[OT06]



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<sup>1</sup> The panel for the original Memorandum Opinion consisted of Chief Justice Gray, Justice Davis, and Justice Scoggins, who retired in January 2019. Justice Neill, appointed to replace Justice Scoggins, did not participate in resolution of relator's motion for rehearing. *See* TEX. R. APP. P. 49.3. Justice Davis retired in December 2020, and Justice Johnson was sworn in effective January 1, 2021.