

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-21-00168-CV

In re Abenat Abera

ORIGINAL PROCEEDING FROM WILLIAMSON COUNTY

MEMORANDUM OPINION

Relator has filed a petition for writ of mandamus complaining that the trial court violated her Due Process rights by failing to provide her an opportunity to be heard before entering new temporary orders. Having reviewed the petition and the record before us, relator first raised her Due Process argument in a motion to vacate, which has not yet been ruled on by the trial court. *See In re Perritt*, 992 S.W.2d 444, 446 (Tex. 1999) (orig. proceeding) (per curiam) (“A party's right to mandamus relief generally requires a predicate request for some action and a refusal of that request.”).

Accordingly, this petition for writ of mandamus is denied. *See* Tex. R. App. P. 52.8(a). Relator’s Motion for Emergency Hearing and Motion to Stay Temporary Orders are also denied.

Melissa Goodwin, Justice

Before Justices Goodwin, Triana, and Kelly

Filed: May 14, 2021