



**NUMBER 13-08-00563-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN RE: JANET RAE LOEHR**

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**On Petition for Writ of Mandamus and Writ of Prohibition.**

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**MEMORANDUM OPINION**

**Before Chief Justice Valdez and Justices Rodriguez and Garza  
Per Curiam Memorandum Opinion<sup>1</sup>**

On October 1, 2008, relator, Janet Rae Loehr, filed a petition seeking a writ of mandamus and writ of prohibition ordering the trial court to set aside a post-judgment order in a divorce case. Relator further filed a motion for emergency relief and abatement of the trial court proceedings. That same day, the Court dismissed as moot the motion for

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<sup>1</sup> See TEX. R. APP. P. 52.8(d) ("When denying relief, the court may hand down an opinion but is not required to do so."); TEX. R. APP. P. 47.4 (distinguishing opinions and memorandum opinions).

emergency relief and requested that the real party in interest, Roland Loehr, file a response to the petition within ten days.<sup>2</sup> The response was duly filed on October 14, 2008.

The Court, having examined and fully considered the petition for writ of mandamus and for writ of prohibition and the response thereto, is of the opinion that relator has not shown herself entitled to the relief sought. Accordingly, the petition for writs of mandamus and prohibition is DENIED. See TEX. R. APP. P. 52.8(a).

PER CURIAM

Memorandum Opinion delivered and  
filed this 15th day of October, 2008.

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<sup>2</sup> Relator also sought emergency relief in her appeal of the trial court's judgment in appellate cause 13-08-00380-CV. In that matter, the Court granted the motion, in part, and stayed the trial court's temporary order of September 26, 2008, and denied the motion, in part, as to all other relief requested by appellant.