



NUMBER 13-08-00578-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE: BILLY HOLMES A/K/A BILLY RICHARDS

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Benavides
Per Curiam Memorandum Opinion¹**

Relator, Billy Holmes a/k/a Billy Richards, filed a petition for writ of mandamus in the above cause on October 8, 2008, asking us to direct the trial court to file his pleadings. The Court, having examined and fully considered the petition for writ of mandamus, is of the opinion that relator has not shown himself entitled to the relief sought. It is the relator's burden to provide this Court with a sufficient record to establish his right to mandamus relief. *See Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992) (orig. proceeding); *In re Blakeney*, 254 S.W.3d 659, 660 (Tex. App.–Texarkana 2008, orig. proceeding). The

¹ 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).

petition generally fails to comply with Texas Rule of Appellate Procedure 52.3 and fails to include either an appendix or a record. See *generally* TEX. R. APP. P. 52.3(j)(1), 52.7. Accordingly, the petition for writ of mandamus is DENIED. See *id.* 52.8(a).

PER CURIAM

Memorandum Opinion delivered and filed this 9th day of October, 2008.