

NO. 12-13-00295-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*IN RE:*

§

*KELTON RAY THURMAN,*

§

*ORIGINAL PROCEEDING*

*RELATOR*

§

---

---

*MEMORANDUM OPINION  
PER CURIAM*

On September 25, 2013, Relator, Kelton Ray Thurman, filed a petition for writ of habeas corpus in which he alleges that he is being unlawfully confined in the Cherokee County Jail pursuant to a void contempt order. Based upon the grounds stated in his petition, he seeks to be released from custody.

In an original habeas proceeding, the relator has the burden to provide this court with a record sufficient to establish his right to habeas corpus relief. *See* TEX. R. APP. P. 52.3(k)(1), 52.7(a); *Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992) (orig. proceeding). Here, however, Thurman has failed to provide us with a record that is sufficient to support his claims.<sup>1</sup> Accordingly, we *deny* the petition for writ of habeas corpus.

Opinion delivered October 31, 2013.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*

(PUBLISH)

---

<sup>1</sup> On the date the petition was filed, the court sent Thurman a letter notifying him of the deficiencies.



**COURT OF APPEALS  
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS  
JUDGMENT**

**OCTOBER 31, 2013**

**NO. 12-13-00295-CV**

**IN RE: KELTON RAY THURMAN, RELATOR**

---

---

**ORIGINAL PROCEEDING**

---

---

ON THIS DAY came to be heard the petition for writ of habeas corpus filed by Relator, **KELTON RAY THURMAN**, who is the Respondent in Cause No. 2012-01-0001, styled "In the Interest of Hannah Dianne Thurman, Allissa Mae Thurman, and Kyle Wain Thurman, Children," pending on the docket of the County Court at Law of Cherokee County, Texas. Said petition for writ of habeas corpus having been filed herein on September 25, 2013, and the same having been duly considered, because it is the opinion of this court that a writ of habeas corpus should not issue, it is therefore **CONSIDERED, ADJUDGED and ORDERED** that the said petition for writ of habeas corpus be, and the same is here by **denied**.

By *per curiam* opinion.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*