

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

In re Joe Guillen, Carolyn Harris, Sidney Hipp, Wayne Holmes and Shenandoah Church of Christ

No. 04-20-00490-CV · No. No. 04-20-00490-CV · Decided October 21, 2020

SUMMARY

The Fourth Court of Appeals of Texas denied a petition for writ of mandamus filed by Joe Guillen, Carolyn Harris, Sidney Hipp, Wayne Holmes, and Shenandoah Church of Christ. The court also denied as moot the relators' motion for temporary relief pending resolution of the mandamus petition.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas, San Antonio
WRITING FOR THE COURT	Per Curiam; Sandee Bryan Marion, Chief Justice; Luz Elena D. Chapa, Justice; Irene Rios, Justice
JURISDICTION	Texas
DECIDED	October 21, 2020
DOCKET	No. 04-20-00490-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original mandamus proceeding in which relators sought a writ of mandamus and emergency temporary relief.
PRECEDENTIAL VALUE	Published
PARTIES	Joe Guillen, Carolyn Harris, Sidney Hipp, Wayne Holmes, Shenandoah Church of Christ

TOPICS

writ of certiorari appellate procedure civil procedure remedies

PRACTICE AREAS

civil procedure appellate procedure mandamus

QUESTIONS PRESENTED

- Whether relators were entitled to a writ of mandamus based on the petition and record.

2. Whether relators were entitled to emergency temporary relief pending resolution of the mandamus petition.

KEY QUOTATIONS

“After considering the petition and the record, this court concludes relators are not entitled to the relief sought.”

FACTUAL BACKGROUND

The mandamus proceeding arose from orders signed by the Honorable Angelica Jimenez in two cases pending in Bexar County district courts. The relators filed a mandamus petition and sought emergency temporary relief while the petition was pending. The appellate court reviewed the petition and record and concluded that relators were not entitled to the requested relief.

PROCEDURAL HISTORY

Relators filed a petition for writ of mandamus and an emergency motion for temporary relief on October 1, 2020. The proceeding arose from orders signed in cases pending in the 166th and 225th Judicial District Courts of Bexar County. After considering the petition and record, the court denied mandamus relief and denied the motion for temporary relief as moot.

DISPOSITION

writ_denied

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas MEMORANDUM OPINION No. 04-20-00490-CV IN RE Joe GUILLEN, Carolyn Harris, Sidney Hipp, Wayne Holmes and Shenandoah Church of Christ Original Mandamus Proceeding 1 PER CURIAM Sitting: Sandee Bryan Marion, Chief Justice Luz Elena D. Chapa, Justice Irene Rios, Justice Delivered and Filed: October 21, 2020 PETITION FOR WRIT OF MANDAMUS DENIED On October 1, 2020, relators filed a petition for writ of mandamus and an emergency motion for temporary relief pending final resolution of the petition for writ of mandamus.

After considering the petition and the record, this court concludes relators are not entitled to the relief sought. Accordingly, the petition for writ of mandamus is denied. See TEX. R. APP. P. 52.8(a). Relators’ motion for temporary relief is denied as moot. PER CURIAM 1 This proceeding arises out of Cause No. 2020CI10510, styled Shenandoah Church of Christ v. Joe Guillen, et al, pending in the 166th Judicial District Court, Bexar County, Texas; and Cause No.

2020CI202010952, styled Shenandoah Church of Christ v. Gabriel Rodriguez pending in the 225th Judicial District Court, Bexar County, Texas.

The Honorable Angelica Jimenez signed the orders at issue in this original proceeding.

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