

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

In re Ha Duong

No. 01-26-00139-CV · No. 01-26-00139-CV · Decided March 17, 2026

SUMMARY

The First Court of Appeals of Texas denied Ha Duong’s petition for a writ of mandamus alleging that the trial court failed to rule on properly filed motions in an underlying divorce proceeding. The court also dismissed any pending motion as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Justice Gunn; Justice Caughey; Justice Morgan
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	March 17, 2026
DOCKET	01-26-00139-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original proceeding on Ha Duong’s petition for writ of mandamus seeking an order directing the trial court to rule on motions in an underlying divorce proceeding.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Ha Duong v. Darwin Ngo

TOPICS

- appellate procedure
- family law procedure
- civil procedure
- remedies

PRACTICE AREAS

- civil procedure
- family law
- appellate procedure
- remedies

QUESTIONS PRESENTED

- Whether Ha Duong was entitled to a writ of mandamus directing the trial court to rule on the motions identified in her petition.
- Whether any pending motion should be dismissed as moot after disposition of the mandamus petition.

HOLDINGS

1. Ha Duong was not entitled to mandamus relief, and the petition for writ of mandamus was denied.
2. Any pending motion was dismissed as moot following denial of the mandamus petition.

KEY QUOTATIONS

“The Court denies relator’s petition for writ of mandamus. We dismiss any pending motion as moot.”

FACTUAL BACKGROUND

Ha Duong and Darwin Ngo were parties to an underlying divorce proceeding in the County Court at Law No. 3 of Galveston County. Duong alleged that the trial court had failed to rule on motions that she had properly filed and sought mandamus relief directing the court to act. Ngo responded that the trial court was actively managing the case and had not failed to perform a ministerial duty.

PROCEDURAL HISTORY

Ha Duong filed a petition for writ of mandamus alleging that the trial court failed to perform a ministerial duty to rule on properly filed motions. The court requested a response, and Darwin Ngo, the real party in interest, argued that the trial court was actively managing the case and had not failed to perform a ministerial duty. The Court of Appeals denied the petition and dismissed any pending motion as moot.

DISPOSITION

writ_denied