

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

In re Morgan Alyse Foster

No. 01-26-00411-CV · No. 01-26-00411-CV · Decided April 22, 2026

OPINION

PER CURIAM.

Opinion issued April 22, 2026 In The Court of Appeals For The First District of Texas NO. 01-26-00411-CV IN RE MORGAN ALYSE FOSTER, Relator Original Proceeding on Petition for Writ of Mandamus MEMORANDUM OPINION Relator Morgan Alyse Foster filed a petition for writ of mandamus challenging the probate court's "Order Granting Applicant's Emergency Motion for Temporary Orders Regarding Control and Disposition of Remains and Denying Morgan Foster's Emergency Application," signed on April 16, 2026.¹ In conjunction 1 The underlying case is Estate of Melvin Alphonse Foster, III, Deceased, cause number 542965, pending in the Probate Court No. 5 of Harris County, Texas, the Honorable Fransheneka Watson presiding. with the mandamus petition, Relator filed an Emergency Motion for Temporary Relief requesting that our Court (1) "Stay enforcement of the trial court's April 16, 2026 Order," (2) "Prohibit cremation or any irreversible disposition of the decedent's remains," and (3) "Order that the remains be preserved in their current condition pending further order of this Court." Real Party in Interest Myriam Michele Foster filed a response to the emergency motion asserting, among other things, that the cremation was completed prior to Relator filing her mandamus petition and emergency motion with our Court.

We deny the petition for writ of mandamus and dismiss the related Emergency Motion for Temporary Relief as moot. Real party in interest's request for costs and attorney's fees is denied. PER CURIAM Panel consists of Justices Rivas-Molloy, Johnson, and Dokupil. 2