

COURT OF APPEALS OF TEXAS, THIRTEENTH DISTRICT, CORPUS
CHRISTI–EDINBURG

In re Juan Pardo

No. 13-26-00039-CV (Tex. App.—Corpus Christi–Edinburg Jan. 30, 2026, mem. op.) · No. 13-26-00039-CV ·
Decided January 30, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas dismissed without prejudice Juan Pardo’s pro se petition for writ of mandamus. The court held that a civil litigant may not proceed partly through counsel and partly pro se because Pardo had attorneys of record. The court lifted the stay previously imposed and denied the remaining requested relief as applicable.

CASE DETAILS

COURT	Court of Appeals of Texas, Thirteenth District, Corpus Christi–Edinburg
WRITING FOR THE COURT	L. Aron Peña Jr.; Chief Justice Tijerina; Justice Peña; Justice West
JURISDICTION	Court of Appeals of Texas, Thirteenth District, Corpus Christi–Edinburg
DECIDED	January 30, 2026
DOCKET	13-26-00039-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original mandamus proceeding arising from the trial court's issuance of ex parte writs of attachment for relator's arrest. The court of appeals had temporarily stayed the writs, but dismissed the mandamus petition without prejudice after granting in part a motion to dismiss based on relator's improper attempt to proceed partly pro se while represented by counsel.
STANDARD OF REVIEW	Mandamus relief requires proof that the trial court clearly abused its discretion and that the relator lacks an adequate remedy by appeal. The relator bears the burden of proving both requirements.
PRECEDENTIAL VALUE	Published memorandum opinion
PARTIES	Juan Pardo v. Claudia Pahola Almazan, Rosario Hinojosa

TOPICS

writ of certiorari

appellate procedure

remedies

civil procedure

standard of review

PRACTICE AREAS

civil procedure

appellate procedure

remedies

QUESTIONS PRESENTED

1. Whether Pardo could proceed partly pro se while represented by counsel in a civil case.
2. Whether the mandamus proceeding should be dismissed on that basis.
3. Whether the previously imposed stay of the challenged writs should be lifted.

HOLDINGS

1. In a civil case, a party is not entitled to representation partly by counsel and partly pro se.
2. Mandamus relief was unavailable because the proceeding was dismissed without prejudice based on Pardo's improper hybrid representation.

KEY QUOTATIONS

“In civil cases, “a party is not entitled to representation partly by counsel and partly pro se.”” (at 2)

“Mandamus relief is an extraordinary remedy available only on a showing that (1) the trial court clearly abused its discretion and (2) the party seeking relief lacks an adequate remedy on appeal.” (at 1)

FACTUAL BACKGROUND

The trial court issued ex parte writs of attachment for Juan Pardo's arrest. Pardo filed a pro se mandamus petition challenging those writs even though he had two attorneys of record. The court of appeals temporarily stayed the writs and ordered responses before resolving Almazan's motion to dismiss.

PROCEDURAL HISTORY

Pardo filed a pro se petition for writ of mandamus and an emergency motion seeking to stay the trial court's ex parte writs of attachment. The court granted emergency relief and stayed the writs. Almazan moved to dismiss, arguing that Pardo could not proceed pro se while represented by two attorneys of record. The court granted the motion in part, lifted the stay, dismissed the mandamus petition without prejudice, and denied the remaining requested relief; Almazan's motion for continuance was dismissed as moot.

DISPOSITION

dismissed

CASES CITED

- In re Ill. Nat'l Ins., 685 S.W.3d 826, 834 (Tex. 2024) (orig. proceeding)
- In re Liberty Cnty. Mut. Ins., 679 S.W.3d 170, 174 (Tex. 2023) (orig. proceeding) (per curiam)

- In re Prudential Ins. Co. of Am., 148 S.W.3d 124, 138 (Tex. 2004) (orig. proceeding)
- Walker v. Packer, 827 S.W.2d 833, 839–40 (Tex. 1992) (orig. proceeding)
- In re H.E.B. Grocery Co., 492 S.W.3d 300, 302 (Tex. 2016) (orig. proceeding) (per curiam)
- In re S.V., 599 S.W.3d 25, 44 (Tex. App.—Dallas 2017, pet. denied) (op. on reh'g)
- In re H.O., 555 S.W.3d 245, 247 n.1 (Tex. App.—Houston [1st Dist.] 2018, pet. denied)
- Smith v. Smith, 22 S.W.3d 140, 153 (Tex. App.—Houston [14th Dist.] 2000, no pet.)
- In re Sondley, 990 S.W.2d 361, 362 (Tex. App.—Amarillo 1999, orig. proceeding) (per curiam)
- Posner v. Dall. Cnty. Child Welfare Unit of Tex. Dep't of Human Servs., 784 S.W.2d 585, 588 (Tex. App.—Eastland 1990, writ denied)
- In re Pardo, No. 13-26-00020-CV, 2026 WL 113439, at *1 (Tex. App.—Corpus Christi–Edinburg Jan. 14, 2026, orig. proceeding) (mem. op.)

OPINION

PER CURIAM.

NUMBER 13-26-00039-CV COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS CORPUS CHRISTI – EDINBURG IN RE JUAN PARDO ON PETITION FOR WRIT OF MANDAMUS MEMORANDUM OPINION Before Chief Justice Tijerina and Justices Peña and West Memorandum Opinion by Justice Peña¹ Relator Juan Pardo filed a pro se petition for writ of mandamus asserting that the trial court abused its discretion by issuing ex parte writs of attachment for relator's arrest.² 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. When granting relief, the court must hand down an opinion as in any other case.”); *id.* R. 47.4 (distinguishing opinions and memorandum opinions). ² This is the second original proceeding regarding this same issue. See *In re Pardo*, No. 13-26- 00020-CV, 2026 WL 113439, at *1 (Tex.

App.—Corpus Christi–Edinburg Jan. 14, 2026, orig. proceeding) (mem. op.) (dismissing relator's petition for writ of mandamus which was filed by disqualified counsel). Relator also filed a motion for emergency relief seeking to stay the orders at issue in this original proceeding. “Mandamus relief is an extraordinary remedy available only on a showing that (1) the trial court clearly abused its discretion and (2) the party seeking relief lacks an adequate remedy on appeal.” *In re Ill. Nat'l Ins.*, 685 S.W.3d 826, 834 (Tex.

2024) (orig. proceeding); see *In re Liberty Cnty. Mut. Ins.*, 679 S.W.3d 170, 174 (Tex. 2023) (orig. proceeding) (per curiam); *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 138 (Tex. 2004) (orig. proceeding); *Walker v. Packer*, 827 S.W.2d 833, 839–40 (Tex. 1992) (orig. proceeding). “The relator bears the burden of proving these two requirements.” *In re H.E.B.*

Grocery Co., 492 S.W.3d 300, 302 (Tex. 2016) (orig. proceeding) (per curiam); *Walker*, 827 S.W.2d at 840. Upon receipt of relator's petition for writ of mandamus and request for emergency

relief, this Court granted relator's request for emergency relief, ordered the writs at issue to be stayed, and ordered the real parties in interest, Claudia Pahola Almazan and Rosario Hinojosa, to file a response to the petition for writ of mandamus.

Almazan filed a motion to dismiss the petition for writ of mandamus on grounds that Pardo "is not qualified to proceed pro se" because he "has two qualified and competent attorneys of record." Almazan requested that we dismiss the petition for writ of mandamus. Almazan also asked this Court to "require" Pardo to "terminate" the legal services of his counsel, have them file motions to withdraw, and have the trial court grant those motions.

Pardo has 2 filed a "reply" to Almazan's motion to dismiss arguing that he is entitled to relief on the merits.³ The Court, having examined and fully considered the petition for writ of mandamus, the limited record provided, and the applicable law, is of the opinion that this original proceeding should be dismissed.

In civil cases, "a party is not entitled to representation partly by counsel and partly pro se." *In re S.V.*, 599 S.W.3d 25, 44 (Tex. App.—Dallas 2017, pet. denied) (op. on reh'g); see *In re H.O.*, 555 S.W.3d 245, 247 n.1 (Tex. App.—Houston [1st Dist.] 2018, pet. denied); *Smith v. Smith*, 22 S.W.3d 140, 153 (Tex. App.—Houston [14th Dist.] 2000, no pet.); *In re Sondley*, 990 S.W.2d 361, 362 (Tex.

App.—Amarillo 1999, orig. proceeding) (per curiam); *Posner v. Dall. Cnty. Child Welfare Unit of Tex. Dep't of Human Servs.*, 784 S.W.2d 585, 588 (Tex. App.—Eastland 1990, writ denied). Accordingly, we lift the stay previously imposed in this case. See TEX. R. APP. P. 52.10.

We grant Almazan's motion to dismiss in part and deny it in part. We grant Almazan's motion, in part, and we dismiss Pardo's petition for writ of mandamus without prejudice. We deny Almazan's motion, in part, as to all other relief sought therein. L. ARON PEÑA JR. Justice Delivered and filed on the 30th day of January, 2026. ³ Almazan also filed an opposed "Motion for Continuance" seeking to extend the time to file her response to the petition for writ of mandamus.

Because we are granting, in part, Almazan's motion to dismiss this original proceeding, we dismiss her motion for continuance as moot. ³