

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

In re Byron Collins

No. 01-25-01057-CV · No. 01-25-01057-CV · Decided December 18, 2025

OPINION

PER CURIAM.

Opinion issued December 18, 2025 In The Court of Appeals For The First District of Texas NO. 01-25-01057-CV IN RE BYRON COLLINS, Relator Original Proceeding on Petition for Writ of Mandamus MEMORANDUM OPINION Relator, Byron Collins, filed a petition for writ of mandamus asserting that the trial court has failed to perform its ministerial duty to rule on relator's "Emergency Motion to Enforce [Trial] Court's November 26, 2025 Order."¹ Relator's motion, filed in the trial court on December 11, 2025, "sought 1 The underlying case is Byron Collins v. Oluwaseun Abe and Patrick Burley, Cause No. 2022-04591, in the 165th District Court of Harris County, Texas, the Honorable Bruce Bain presiding. clarification" that the trial court's November 26, 2025 order "required [real parties in interest, Oluwaseun Abe and Patrick Burley] to connect to [a] provided Zoom link" for the deposition of a witness on December 19, 2025.

Relator's petition for writ of mandamus alleged that he "request[ed] a ruling by December 16[, 2025]," but that, at the time of filing his petition for writ of mandamus, "the trial court ha[d] not ruled on [r]elator's Emergency Motion to Enforce [Trial] Court's November 26, 2025 Order." Relator therefore requested that this Court issue a writ of mandamus directing the trial court to "immediately rule" on relator's motion.

In connection with his petition for writ of mandamus, relator also filed an "Emergency Motion for Stay of Deposition." In his motion, relator requested that this Court stay the December 19, 2025 deposition pending this Court's review of relator's petition for writ of mandamus.

We conclude that relator has failed to establish he is entitled to mandamus relief, and therefore, the Court denies relator's petition for writ of mandamus. We dismiss any pending motions, including relator's Emergency Motion for Stay of Deposition, as moot. PER CURIAM Panel consists of Justices Guerra, Caughey, and Dokupil. 2