

COURT OF APPEALS FOR THE NINTH DISTRICT OF TEXAS AT BEAUMONT

In re Alvis Ray Coker Jr.

No. 09-25-00522-CV · No. No. 09-25-00522-CV · Decided January 5, 2026

SUMMARY

The Ninth Court of Appeals of Texas denied Alvis Ray Coker Jr.’s petition for a writ of mandamus and request for temporary relief. The court held that the September 24, 2025 order in the partition proceeding was appealable and that Coker had not shown he lacked an adequate remedy by appeal.

CASE DETAILS

COURT	Court of Appeals for the Ninth District of Texas at Beaumont
WRITING FOR THE COURT	Johnson, J.; Wright, J.; Chambers, J.
JURISDICTION	Court of Appeals for the Ninth District of Texas at Beaumont
DECIDED	January 5, 2026
DOCKET	No. 09-25-00522-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original proceeding seeking a writ of mandamus to compel the trial court to stay enforcement of a default judgment, vacate orders, transfer the case, and enjoin the real party in interest and her attorney from dealing with personal property associated with the disputed real property.
STANDARD OF REVIEW	Mandamus is available to remedy a clear abuse of discretion when the relator lacks an adequate remedy by appeal. The adequacy of an appellate remedy is determined by balancing the benefits of mandamus review against its detriments and considering whether mandamus would preserve important substantive and procedural rights from impairment or loss.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Alvis Ray Coker Jr. v. Regina Prince

TOPICS

- partition
- appellate procedure
- civil procedure
- remedies
- real estate

PRACTICE AREAS

Civil procedure

Appellate procedure

Real estate

Remedies

QUESTIONS PRESENTED

1. Whether Coker established entitlement to mandamus relief by showing that the trial court clearly abused its discretion and that he lacked an adequate remedy by appeal.
2. Whether the trial court's September 24, 2025 order was an appealable first-stage partition order.
3. Whether Coker was entitled to temporary relief pending resolution of the mandamus proceeding.

HOLDINGS

1. Coker was not entitled to mandamus relief because he had an adequate remedy by appeal.
2. The September 24, 2025 order was an appealable first-stage order in a partition proceeding.
3. The request for temporary relief was denied.

KEY QUOTATIONS

“A partition case, unlike other proceedings, has two final judgments and the first one is appealable as a final judgment.” (2)

“The operative word, ‘adequate[,]’ has no comprehensive definition; it is simply a proxy for the careful balance of jurisprudential considerations that determine when appellate courts will use original mandamus proceedings to review the actions of lower courts.” (2)

FACTUAL BACKGROUND

The underlying case appears to be a dispute among heirs involving partition of real property. The trial court signed an order on September 24, 2025, apparently constituting the first-stage order in the partition proceeding. Alvis Ray Coker Jr. sought mandamus relief relating to enforcement of that order and requested injunctive relief concerning personal property located on the real property.

PROCEDURAL HISTORY

The proceeding arose from Trial Cause Number CIV25-0370 in the 411th District Court of Polk County, a suit appearing to concern partition of property among heirs. The trial court signed an order dated September 24, 2025, which the court of appeals determined was an appealable first-stage partition order. Because Coker could challenge that order and preceding interlocutory rulings through a timely appeal, the court denied mandamus and temporary relief.

DISPOSITION

writ_denied

CASES CITED

- In re Prudential Ins. Co. of Am., 148 S.W.3d 124, 135-36 (Tex. 2004) (orig. proceeding)
- Walker v. Packer, 827 S.W.2d 833, 839-40 (Tex. 1992) (orig. proceeding)
- In re Team Rocket, L.P., 256 S.W.3d 257, 262 (Tex. 2008) (orig. proceeding)
- Griffin v. Wolfe, 610 S.W.2d 466, 466 (Tex. 1980)
- Bowman v. Stephens, 569 S.W.3d 210, 221-22 (Tex. App.—Houston [1st Dist.] 2018, no pet.)
- Rogers v. Coslett, 646 S.W.3d 1

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