

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

In re Melissa Lopez

No. 03-26-00316-CV · No. No. 03-26-00316-CV · Decided May 12, 2026

OPINION

In Re Melissa Lopez v. the State of Texas

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-26-00316-CV

In re Melissa Lopez

ORIGINAL PROCEEDING FROM BELL COUNTY

MEMORANDUM OPINION

On March 30, 2026, Relator Melissa Lopez filed a petition for writ of mandamus seeking mandamus relief from the trial court’s denial of her motion to withdraw deemed admissions. She also filed an emergency motion for temporary stay. This Court granted the emergency motion and temporarily stayed all proceedings pending further order of this Court and requested a response, which real party in interest Lydia Shin has now filed. It is a relator’s burden to request and properly establish entitlement to extraordinary relief, including by providing this Court with a sufficient record from which to evaluate his claims. See *Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992); *In re Smith*, No. 03-14-00478-CV, 2014 WL 4079922, at *2 (Tex. App.—Austin Aug. 13, 2014, orig. proceeding) (mem. op.) (denying mandamus relief when relator failed to provide sufficient record); see also Tex. R. App. P. 52.7(a) (requiring relator to file record containing sworn copies “of every document that is material to [his] claim for relief and that was filed in any underlying proceeding”). Here, Lopez has not provided us with a sufficient record from which we may evaluate the merits of her petition. On this record, we conclude that she has failed to show entitlement to relief. Accordingly, her petition for writ of mandamus is denied, and we lift this Court’s temporary stay. See Tex. R. App. P. 52.8(a).

Darlene Byrne, Chief Justice Before Chief Justice Byrne, Justices Theofanis and Crump Filed: May 12, 2026 2