

COURT OF APPEALS FOR THE NINTH DISTRICT OF TEXAS AT BEAUMONT

In re Scott Mitchell Obeginski

No. 09-26-00173-CV · No. 09-26-00173-CV · Decided May 4, 2026

SUMMARY

The Ninth Court of Appeals of Texas at Beaumont denied Scott Mitchell Obeginski’s petition for a writ of mandamus and motion for temporary relief. The court held that the trial court’s plenary power to modify the judgment had expired, the motion sought to void rather than enforce the judgment, and Relator had not shown a clear abuse of discretion.

CASE DETAILS

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| COURT                 | Court of Appeals for the Ninth District of Texas at Beaumont                                                                                                                                                                                                                                                                  |
| WRITING FOR THE COURT | Per Curiam; Golemon, C.J.; Wright, J.; Chambers, J.                                                                                                                                                                                                                                                                           |
| JURISDICTION          | Court of Appeals for the Ninth District of Texas at Beaumont                                                                                                                                                                                                                                                                  |
| DECIDED               | May 4, 2026                                                                                                                                                                                                                                                                                                                   |
| DOCKET                | 09-26-00173-CV                                                                                                                                                                                                                                                                                                                |
| DISPOSITION           | writ_denied                                                                                                                                                                                                                                                                                                                   |
| PROCEDURAL POSTURE    | Original mandamus proceeding arising from the 284th District Court of Montgomery County, Texas. Relator sought a writ directing the trial court to rule on an amended motion to vacate a modified final judgment and sought temporary relief.                                                                                 |
| STANDARD OF REVIEW    | Mandamus relief requires a clear abuse of discretion by the trial court and the absence of an adequate remedy by appeal. A trial court abuses its discretion when its decision is arbitrary and unreasonable, constitutes clear and prejudicial legal error, or results from an incorrect analysis or application of the law. |
| PRECEDENTIAL VALUE    | Published                                                                                                                                                                                                                                                                                                                     |
| PARTIES               | Scott Mitchell Obeginski, Relator                                                                                                                                                                                                                                                                                             |

TOPICS

- writ of certiorari
- appellate procedure
- standard of review
- civil procedure
- remedies

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether the trial court clearly abused its discretion by failing to rule on Obeginski's amended motion to vacate the Modified Final Judgment and its supplements.
2. Whether mandamus relief and temporary relief were available where the trial court's plenary power to modify the judgment had expired and the motion did not invoke the trial court's judgment-enforcement power.

## HOLDINGS

1. Mandamus relief was not warranted because Relator did not show that the trial court abused its discretion.
2. The motion for temporary relief was denied.

## KEY QUOTATIONS

*“We may issue a writ of mandamus to remedy a clear abuse of discretion by the trial court when the relator lacks an adequate remedy by appeal.” (at 1)*

*“A trial court clearly abuses its discretion if it reaches a decision so arbitrary and unreasonable as to amount to a clear and prejudicial error of law.” (at 1)*

*“A trial court also abuses its discretion if it fails to correctly analyze or apply the law, because a trial court has no discretion in determining what the law is or in applying the law to the facts.” (at 1)*

*“The trial court’s plenary power to modify the judgment expired before Relator filed the motion contained in the appendix to his mandamus petition.” (at 2)*

## FACTUAL BACKGROUND

The trial court signed a Modified Final Judgment on October 17, 2025. Obeginski perfected an appeal from that judgment and later filed an amended motion to vacate the judgment, together with four supplements, alleging that the trial court had failed to rule on the motion. The motion sought to void the judgment rather than enforce it.

## PROCEDURAL HISTORY

The trial court signed a Modified Final Judgment on October 17, 2025. Obeginski perfected a separate appeal on December 1, 2025, and later filed an amended motion to vacate the judgment with four supplements; asserting that the trial court had not ruled, he filed this mandamus petition. The court of appeals denied the petition as supplemented and denied the motion for 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)
- Cook v. Stallcup, 170 S.W.3d 916, 920 (Tex. App.—Dallas 2005, no pet.)

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