



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-20-00017-CV

IN RE LARRY T. LONG

Original Mandamus Proceeding

Before Morriss, C.J., Burgess and Stevens, JJ.
Memorandum Opinion by Justice Burgess

MEMORANDUM OPINION

On March 13, 2020, Relators Larry T. Long, individually, Woodbine Production Corporation, Rusk County Well Service, Inc., and Larry T. Long and L. Allan Long, in their capacities as trustees of The Lawrence Allan Long Trust, The Charles Edward Long Trust, The Larry Thomas Long Trust, and The John Stephen Long Trusts d/b/a THE LONG TRUSTS, filed a petition for writ of mandamus complaining of the trial court’s oral rulings compelling them to respond to certain discovery requests. We deny the petition.

After reviewing the record, we conclude that Relators failed to comply with Rule 52.7(a)(1) of the Texas Rule of Appellate Procedure, which states that a relator must file with the petition “*a certified or sworn copy of every document that is material to the relator’s claim for relief and that was filed in any underlying proceeding[.]*” TEX. R. APP. P. 52.7(a)(1) (emphasis added); *see* TEX. R. APP. P. 52.3(k)(1)(A) (“The appendix must contain . . . a certified or sworn copy of any order complained of, or any other document showing the matter complained of.”). Although Relators provided various copies of documents from the underlying proceeding, those copies are neither sworn to nor certified. Accordingly, the mandamus petition fails to provide a complete record as required by Rule 52.7(a)(1) and is therefore insufficient to establish that the trial court abused its discretion. *See In re Poulton*, No. 06-19-00102-CV, 2020 WL 238730, at *1 (Tex. App.—Texarkana Jan. 16, 2020, orig. proceeding) (mem. op.) (citing *In re Le*, 335 S.W.3d 808, 813 (Tex. App.—Houston [14th Dist.] 2011, orig. proceeding) (stating, “Those seeking the extraordinary remedy of mandamus must follow the applicable procedural rules. Chief among these is the critical obligation to provide the reviewing court with a complete and adequate record.”) (footnote omitted)); *In re Butler*, 270 S.W.3d 757, 759 (Tex. App.—Dallas 2008, orig. proceeding).

For this reason, we deny Relators' petition for writ of mandamus.¹

Ralph K. Burgess
Justice

Date Submitted: June 15, 2020
Date Decided: June 16, 2020

¹On March 17, 2020, this Court granted Relators' motion for an emergency stay of the trial court's orders compelling discovery. Because we deny the petition for writ of mandamus, the emergency stay is hereby lifted.