

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

§

IN RE: FREDERICK L. MCGUIRE AND
MCGUIRE KELLNER L.L.P.,

§

No. 08-10-00036-CV

Relators.

§

AN ORIGINAL PROCEEDING

§

IN MANDAMUS

§

§

MEMORANDUM OPINION ON PETITION FOR WRIT OF MANDAMUS

Relators, Frederick L. McGuire and McGuire Kellner L.L.P., have filed a petition for writ of mandamus, requesting this Court to compel the Honorable Bonnie Rangel, Judge of the 171st District Court of El Paso County, to rule on Relators' motion to compel arbitration. Mandamus will lie only to correct a clear abuse of discretion. *Walker v. Packer*, 827 S.W.2d 833, 840 (Tex. 1992) (orig. proceeding). Moreover, the relator must demonstrate no other adequate remedy exists at law. *See In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135-36 (Tex. 2004) (orig. proceeding). Based on the record before us, we are unable to conclude that Relators are entitled to relief by writ of mandamus. Accordingly, we deny the relief requested in the petition. *See* TEX. R. APP. P. 52.8(a). Further, we lift the stay entered by previous written order of this Court.

GUADALUPE RIVERA, Justice

February 10, 2010

Before Chew, C.J., McClure, and Rivera, JJ.