



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

	§	
	§	No. 08-13-00294-CV
IN RE: RENE ORDONEZ, DEPENDENT ADMINISTRATOR,	§	AN ORIGINAL PROCEEDING
Relator.	§	IN MANDAMUS
	§	

MEMORANDUM OPINION

Relator, Rene Ordonez, Dependent Administrator, has filed a petition for writ of mandamus against the Honorable Linda Chew, Judge of the 327th District Court of El Paso County, Texas. Relator asks the Court to issue a writ of mandamus requiring Respondent to set aside an order which determines that (1) Maria Hernandez, as the mother of two minor children, has a right to select a legal representative for her children; (2) Hernandez had selected and hired the Honorable Christopher Antcliff to prosecute her daughters' wrongful death claims; and (3) Relator lacked authority to assert the wrongful death claims of the two children.

To be entitled to mandamus relief, a relator must meet two requirements. First, the relator must show that the trial court clearly abused its discretion. *In re Prudential Insurance Company of America*, 148 S.W.3d 124, 135 (Tex. 2004). Second, the relator must demonstrate that there is no adequate remedy by appeal. *Id.* at 136. Based on the record before us, we conclude that Relator has not established he is entitled to mandamus relief. Accordingly, we

deny the petition for writ of mandamus and lift the stay order entered on October 23, 2013. *See*
TEX.R.APP.P. 52.8(a).

January 15, 2014

ANN CRAWFORD McCLURE, Chief Justice

Before McClure, C.J., Rivera, and Rodriguez, JJ.
(Rodriguez, J., not participating)