

Opinion filed April 14, 2022



In The

Eleventh Court of Appeals

No. 11-22-00053-CV

IN RE SENTRY INSURANCE A MUTUAL COMPANY

Original Mandamus Proceeding

MEMORANDUM OPINION

Relator, Sentry Insurance a Mutual Company, has filed in this court a petition for writ of mandamus regarding an order entered on January 18, 2022, by the 32nd District Court of Nolan County in Cause No. DO-92-17178. In the order, the Honorable Glen Harrison denied Relator's motion for partial summary judgment—a motion in which Relator sought dismissal of certain claims filed against Relator by the real party in interest, Donald Bristow.

Mandamus is an extraordinary remedy and is warranted only when the trial court clearly abused its discretion and there is no adequate remedy by appeal. *In re C.J.C.*, 603 S.W.3d 804, 811 (Tex. 2020) (orig. proceeding); *In re Murrin Bros. 1885, Ltd.*, 603 S.W.3d 53, 56 (Tex. 2019) (orig. proceeding). The relator bears the

burden to prove both of these requirements. *In re H.E.B. Grocery Co.*, 492 S.W.3d 300, 302 (Tex. 2016) (orig. proceeding).

We have reviewed Relator's petition, Bristow's response, Relator's reply, and the records filed by the parties and have determined that Relator has not met its burden to show that the trial court clearly abused its discretion or that Relator does not have an adequate remedy by appeal.

Accordingly, Relator's petition for writ of mandamus is denied.

PER CURIAM

April 14, 2022

Panel consists of: Bailey, C.J.,
Trotter, J., and Williams, J.