

DENIED and Opinion Filed October 28, 2015



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-15-01239-CV

IN RE ALBERT ABROKWA AND DONNA ABROKWA, Relators

**Original Proceeding from the 401st Judicial District Court
Collin County, Texas
Trial Court Cause No. 401-03920-2013**

MEMORANDUM OPINION

Before Justices Bridges, Lang-Miers, and Stoddart
Opinion by Justice Stoddart

Relators filed this petition for writ of mandamus requesting that the Court order the trial court to vacate its order granting new trial and reinstate the default judgment signed on June 30, 2014. We have declined to extend merits-based mandamus review to trial court orders granting new trial following bench trials. *See In re Klair*, No. 05-15-00462-CV, 2015 WL 1850907, at *1 (Tex. App.—Dallas Apr. 23, 2015, orig. proceeding) (mem. op.) (declining to extend mandamus review to orders granting new trial following default judgment); *In re Dixon*, No. 05-15-00242-CV, 2015 WL 1183596, at *1 (Tex. App.—Dallas Mar. 16, 2015, orig. proceeding) (mem. op.) (declining to extend merits based mandamus review to case in which elected judge of the trial court granted new trial following a bench trial to an assigned judge); *In re Foster*, No. 05-15-00179-CV, 2015 WL 682335, at *1 (Tex. App.—Dallas Feb. 18, 2015, orig. proceeding) (mem.

op.) (declining to extend mandamus review to order granting new trial following bench trial).

This case does not provide a basis for revisiting those decisions.

We deny the petition.

/Craig Stoddart/
CRAIG STODDART
JUSTICE

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