

Denied and Opinion Filed September 22, 2016



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-16-01100-CV

IN RE: MICHAEL WILSON, Relator

Original Proceeding from the County Court at Law No. 2
Dallas County, Texas
Trial Court Cause No. CC-15-05747-B

MEMORANDUM OPINION

Before Justices Bridges, Myers, and Whitehill
Opinion by Justice Bridges

Before the Court is relator's September 16, 2016 petition for writ of mandamus in which he asks the Court to order the trial court to rule on real party in interest's special exceptions and to issue findings of fact and conclusions of law as to the summary judgment granted against relator.

To be entitled to mandamus relief, a relator must show that the trial court clearly abused its discretion and there is no adequate remedy on appeal. *In re Prudential Insurance Company of America*, 148 S.W.3d 124, 135–36 (Tex. 2004). Relator may raise the issues complained of in the direct appeal already pending before this Court in cause number 05-16-01093-CV and, therefore, has an adequate remedy on appeal. Accordingly, we **DENY** the petition for writ of

mandamus because relator has failed to demonstrate that he is entitled to mandamus relief.

/David L. Bridges/
DAVID L. BRIDGES
JUSTICE

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