

DENY; and Opinion Filed July 24, 2018.



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

No. 05-18-00839-CV

**IN RE TOYOTA MOTOR SALES, U.S.A., INC.
AND TOYOTA MOTOR CORPORATION, Relators**

**Original Proceeding from the 134th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-16-15296**

MEMORANDUM OPINION

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

Before the Court is relators' petition for writ of mandamus in which they contend the trial court "effectively denied" a motion for protective order and has proceeded to trial. To be entitled to mandamus relief, a relator must show both that the trial court has clearly abused its discretion and that relator has no adequate appellate remedy. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). Based on the record before us, we conclude relators have not shown they are entitled to the relief requested. Accordingly, we deny relators' petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a) (the court must deny the petition if the court determines relator is not entitled to the relief sought).

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE