

DENY and Opinion Filed September 30, 2019



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

No. 05-19-00898-CV

**IN RE HOUSE OF RAEFORD FARMS, INC., FIELDALE FARMS CORPORATION
OZARK MOUNTAIN POULTRY, INC. Relators**

**Original Proceeding from the 14th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-17-00698-A**

MEMORANDUM OPINION

Before Justices Bridges, Osborne, and Carlyle
Opinion by Justice Bridges

Before the Court is relator House of Raeford Farms, Inc.'s July 30, 2019 petition for writ of mandamus along with relator Fieldale Farms Corporation's August 13, 2019, and relator Ozark Mountain Poultry Inc.'s August 28, 2019, joinders to the petition. Relators contend the trial court abused its discretion by denying their motions to designate OK Foods, Inc. as a responsible third party or settling person under Chapter 33 of the Texas Civil Practice and Remedies Code.

To be entitled to mandamus relief, relators must show both that the trial court has clearly abused its discretion and that relators have no adequate appellate remedy. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). After reviewing the petitions and the mandamus record, 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).

/David L. Bridges/
DAVID L. BRIDGES
JUSTICE

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