

DENY and Opinion Filed November 21, 2019



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

No. 05-19-01081-CV

IN RE ABRAHAM YEPEZ RAMIREZ, Relator

**Original Proceeding from the 193rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-17-14050**

MEMORANDUM OPINION

Before Justices Whitehill, Partida-Kipness, and Pedersen, III
Opinion by Justice Whitehill

Before the Court is relator's petition for writ of mandamus in which he contends the trial court abused its discretion by excluding the testimony of certain experts pursuant to TEX. R. CIV. P. 193.6. Based on relator's request, we also stayed the underlying proceeding pending disposition of relator's petition for writ of mandamus.

Entitlement to mandamus relief requires relator to show both that the trial court has clearly abused its discretion and that relator has 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 petition and the mandamus record, we conclude relator has not shown he is entitled to the relief requested.

Accordingly, we deny relator's petition for writ of mandamus and lift our stay of the underlying proceedings. *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).

/Bill Whitehill/
BILL WHITEHILL
JUSTICE

191081F.P05