

Denied; Opinion Filed December 9, 2019



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

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No. 05-19-01499-CV

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IN RE THE HONORABLE SUZANNE WOOTEN, Relator

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Original Proceeding from  
Collin County, Texas

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**MEMORANDUM OPINION**

Before Justices Schenck, Reichel, and Evans  
Opinion Per Curiam

Before the Court are relator's December 6, 2019 petition for writ of mandamus and emergency motion for temporary relief, respondent's response, and relator's reply.

Relator's petition for writ and emergency motion seek relief with respect to her request that we compel respondent to include her name on the March 3, 2020 ballot for the Republican primary for the November 2020 general election, as a candidate for presiding judge of the 401st Judicial District Court of Texas.

Entitlement to mandamus relief requires relator to show both that respondent has clearly abused his discretion and that relator has no adequate appellate remedy at law. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding); *see also, In re Pena*, 05-17-00209-CV, 2017 WL 2062274, at \*2 (Tex. App.—Dallas Mar. 6, 2017, orig. proceeding). After

reviewing the petition and the mandamus record, as well as the response and the reply, we conclude relator has not shown she is entitled to the relief requested.

Accordingly, we deny relator's 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). So as not to prejudice the parties' rights or remedies, we have expedited our decision in this mandamus proceeding. *See In re Jones*, No. 05-18-00065-CV, 2018 WL 549531, at\*2 (Tex. App.—Dallas Jan. 24, 2018 orig. proceeding) (mem. op) (per curium). A supplemental opinion providing the basis for our ruling will follow as expeditiously as possible.

PER CURIAM