

DENY and Opinion Filed September 22, 2021



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

No. 05-21-00410-CV

IN RE THRESHER AND THRESHER, Relators

**Original Proceeding from the 44th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-19-05644**

MEMORANDUM OPINION

Before Justices Schenck, Nowell, and Garcia
Opinion by Justice Schenck

In this original proceeding, relators ask us to compel the trial court to vacate its order striking their expert witness. Entitlement to mandamus relief requires relators to show that the trial court clearly abused its discretion and that they lack an adequate remedy by appeal. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding).

Based on our review of the petition and record, we conclude that relators have not shown they lack an adequate remedy. *See In re Flores*, No. 05-19-01058-CV, 2020 WL 2847531, at *1 (Tex. App.—Dallas June 2, 2020, orig. proceeding) (mem. op.) (denying mandamus relief for orders striking experts because relators had

adequate remedy by appeal). Accordingly, we deny the petition for writ of mandamus.

/David J. Schenck/
DAVID J. SCHENCK
JUSTICE

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