

DENIED and Opinion Filed October 23, 2023



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

No. 05-23-00726-CV

IN RE ERIN WALKER, Relator

**Original Proceeding from the 422nd Judicial District Court
Kaufman County, Texas
Trial Court Cause No. 100256-422**

MEMORANDUM OPINION

Before Justices Molberg, Goldstein, and Breedlove
Opinion by Justice Molberg

In her July 25, 2023 petition for writ of mandamus, relator Erin Walker seeks relief from the trial court's order denying her motion to dismiss for want of prosecution and lack of diligence.

Entitlement to mandamus relief requires relator to show that the trial court clearly abused its discretion and that relator lacks an adequate appellate remedy. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). After reviewing relator's petition and the record before us, we conclude that relator has failed to demonstrate that the trial court abused its discretion.

Accordingly, we deny the petition for writ of mandamus. *See* TEX. R. APP. P.

52.8(a).

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/Ken Molberg//

KEN MOLBERG
JUSTICE