

DENIED and Opinion Filed October 2, 2023



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

No. 05-23-00800-CV

**IN RE EULESS PIZZA, LP; SF, GP, MANAGEMENT, LLC;
AND STORY GLEN, INC., Relators**

**Original Proceeding from the County Court at Law No. 2
Dallas County, Texas
Trial Court Cause No. CC-21-05448-B**

MEMORANDUM OPINION

Before Justices Partida-Kipness, Carlyle, and Garcia
Opinion by Justice Partida-Kipness

Before the Court is relators' August 15, 2023 petition for writ of mandamus.

Relators contend the trial court clearly abused its discretion when it denied relators' Motion for Leave to Withdraw and Amend Original Admissions and they have no adequate remedy by appeal.

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

Accordingly, we deny the petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a).

Also before the Court is relators' August 15, 2023 Opposed Motion for Temporary Relief and Stay, including the supplement thereto. We deny relators' motion as moot.

/Robbie Partida-Kipness/
ROBBIE PARTIDA-KIPNESS
JUSTICE

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