

**DENIED and Opinion Filed December 1, 2023**



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

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**No. 05-23-01174-CV**

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**IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY  
AND JEFF HERRIDGE, Relators**

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**Original Proceeding from the County Court at Law No. 4  
Dallas County, Texas  
Trial Court Cause No. CC-19-03296-D**

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**MEMORANDUM OPINION**

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

Before the Court are relators' November 21, 2023 petition for writ of mandamus and November 29, 2023 emergency motion for temporary relief. In their petition, relators challenge the trial court's denial of their motion for separate trials and abatement. In their emergency motion, relators seek to stay certain discovery pending our action on the petition.

Entitlement to mandamus relief requires a relator to show that the trial court clearly abused its discretion and that the 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 relators' petition and the record before us, we conclude that 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).

We also deny relators' emergency motion as moot.

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/Dennise Garcia/  
DENNISE GARCIA  
JUSTICE