

Opinion issued August 21, 2008



In The
Court of Appeals
For The
First District of Texas

NO. 01-08-00515-CV

**IN RE GENERAL METAL FABRICATING CORPORATION, GMF
LEASING, INC., AND ARNOLD CURRY, Relators**

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

By petition for writ of mandamus, Relators, General Metal Fabricating Corp., GMF Leasing, Inc. and Arnold Curry challenge the trial court's¹ inaction on (1) a

¹ The Honorable Lamar McCorkle presiding. The underlying proceeding is *John Stergiou v. General Metal Fabricating Corporation and Arnold Curry*, 2005-55175 (133rd Dist. Ct., Harris, County Tex.).

docket control order; (2) a motion for continuance; and (3) cross motions for summary judgment.

The petition for writ of mandamus is **denied**. *See* TEX. R. APP. P. 52.8(a). We withdraw our June 27, 2008 order that stayed the commencement of trial. All outstanding motions are denied.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Keyes and Higley.