

Opinion issued November 14, 2008



In The
Court of Appeals
For The
First District of Texas

NO. 01-08-00782-CV

IN RE RUBEN S. MARTIN III, Relator

Original Proceeding On Petition For Writ Of Mandamus

MEMORANDUM OPINION ¹

By petition for writ of mandamus, relator, Ruben S. Martin III, seeks mandamus relief ordering the trial court to dismiss the derivative claims from the

¹ The underlying case is *Scott D. Martin and SKM Partnership, Ltd. Individually and as Shareholders on Behalf of Martin Resources Management Corporation v. Martin Resource Management Corporation, Ruben S. Martin III, Robert Bondurant, Donald R. Neumeyer, Wesley M. Skelton, Stephen Wes Martin, Et Al.*, Cause No. 2008-53948, in the 215th Judicial District Court of Harris County, Texas, the Hon. Levi Benton, presiding.

original petition. Alternatively, he seeks dismissal of the entire suit.

We **deny** the petition for writ of mandamus.

Per Curiam

Panel consists of Justices Taft, Keyes, and Alcala.