

Opinion issued December 7, 2009



In The
Court of Appeals
For The
First District of Texas

NO. 01-09-00967-CV

IN RE TIMOTHY AGUILAR, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION¹

By petition for writ of mandamus, relator, Timothy Aguilar, seeks relief compelling the trial court to vacate its order granting the motion to compel arbitration filed by the real party in interest.

¹ The underlying case is *Timothy A. Aguilar v. Patrick Miller and Texas La Fiesta Auto Sales LLC*, No. 2008-35253, in the 61st Judicial District Court of Harris County, Texas, the Hon. Al Bennett, presiding.

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

Per Curiam

Panel consists of Chief Justice Radack and Justices Bland and Massengale.