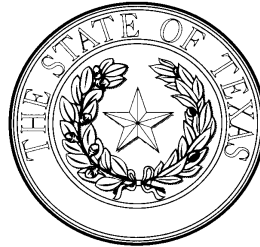


Opinion issued December 13, 2022



In The
Court of Appeals
For The
First District of Texas

NO. 01-22-00513-CV

**IN RE PRESTON MARSHALL AND RUSK CAPITAL MANAGEMENT,
L.L.C., Relators**

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relators, Preston Marshall and Rusk Capital Management, L.L.C., have filed a petition for writ of mandamus seeking to challenge the trial court's June 29, 2022 "Order Regarding Motion to Set Supersedeas Bond."¹

¹ The underlying case is *Preston Marshall, Individually, and Rusk Capital Management, L.L.C. v. MarOpCo, Inc.*, Cause No. 2015-35950, in the 11th District Court of Harris County, Texas, the Honorable Kristen Brauchle Hawkins presiding.

We deny relators' petition for writ of mandamus.² All pending motions are dismissed as moot.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Countiss and Rivas-Molloy.

² Relators have filed a direct appeal from the trial court's final judgment, which is pending in this Court in appellate cause number 01-22-00573-CV. Nothing in this memorandum opinion prevents relators from filing a motion pursuant to Texas Rule of Appellate Procedure 24.4 in their pending direct appeal should they deem it appropriate to do so. *See* TEX. R. APP. P. 24.4(a) ("A party may seek review of the trial court's ruling by motion filed in the court of appeals with jurisdiction . . . over the appeal from the judgment in the case.").