

Opinion issued November 14, 2023



In The
Court of Appeals
For The
First District of Texas

NO. 01-23-00804-CV

IN RE DIANA CASTANO, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator Diana Castano filed a petition for a writ of mandamus challenging the trial court’s denial of relator’s motion to transfer venue of the “action to quiet title, suit on trespass to try title, and declaratory judgment of property located in Galveston County” asserted by real party in interest Wendy Hernandez.¹ Relator further argued

¹ The underlying case is *In the Matter of the Marriage of Manuel Reyes and Diana M. Castano*, Cause No. 17-DCV-242799, in the 328th District Court of Fort Bend County, Texas, the Honorable Monica Rawlins presiding.

that the trial court “should abate the proceedings in the trial court pending adjudication of this writ of mandamus as the [trial court] lacks jurisdiction to issue final orders for the matters pending before it.”

Our review of relator’s mandamus petition reflects that relator has failed to establish that she is entitled to mandamus relief. *See* TEX. R. APP. P. 52.3(k)(1)(A), 52.7(a), 52.8(a); *see also Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992). Accordingly, we deny relator’s petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a). Any pending motions are dismissed as moot.

PER CURIAM

Panel consists of Justices Goodman, Countiss, and Farris.