

Petition for Writ of Mandamus Denied and Memorandum Opinion filed March 18, 2010.



In The

Fourteenth Court of Appeals

NO. 14-10-00238-CV

IN RE MARGARET CASTRO, Relator

ORIGINAL PROCEEDING
WRIT OF MANDAMUS

MEMORANDUM OPINION

On March 18, 2010, relator, Margaret Castro, filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (Vernon 2004); *see also* Tex. R. App. P. 52. In the petition, relator asks this court to compel the Honorable Josefina Rendon, sitting by designation in the 308th District Court of Harris County, to vacate her order denying summary judgment and dismissal and to direct Judge Rendon to dismiss Timothy Castro, Jr., M.D.'s declaratory judgment action and affirmative defenses to relator's

enforcement action. Relator also filed an emergency motion for stay to prevent the trial court from proceeding to trial.

Relator has an adequate remedy by appeal and therefore is not entitled to mandamus relief. Accordingly, we deny relator's petition for writ of mandamus and emergency motion for stay.

PER CURIAM

Panel consists of Justices Frost, Seymore, and Sullivan.