

Petition for Writ of Mandamus Denied and Memorandum Opinion filed August 12, 2010



In The

Fourteenth Court of Appeals

NO. 14-10-00657-CV

IN RE DENBURY GREEN PIPELINE-TEXAS, LLC, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS**

MEMORANDUM OPINION

On July 21, 2010, relator, Denbury Green Pipeline-Texas, LLC, filed a petition for writ of mandamus and, on August 4, 2010, a supplemental 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 Susan Criss, presiding judge of the 212th District Court of Galveston County, to set aside her July 19, 2010 order granting real party in interest's motion to reconsider, and her August 2, 2010 order granting real party in interest's application for a temporary injunction.

Relator has an adequate remedy by appeal. *See* Tex. Civ. Prac. & Rem. Code. Ann. § 51.014(a)(4) (Vernon 2008); *In re Henry*, 274 S.W.3d 185, 189 n.2 (Tex. App.—Houston [1st Dist.] 2008, orig. proceeding [mand. denied]) (op. on reh’g) (“Because Henry had an adequate by appeal of the temporary injunction, mandamus was not appropriate as to the temporary injunction, and we denied mandamus as to the TRO.”); *In re Holland*, No. 14-09-00656-CV, 2009 WL 3154479, at *2 (Tex. App.—Houston [14th Dist.] Oct. 1, 2009, orig. proceeding) (mem. op. on reh’g) (explaining that interlocutory appeal of order granting temporary injunction provides adequate remedy by appeal). Therefore, relator has not established its entitlement to the extraordinary relief of a writ of mandamus.

Accordingly, we deny relator’s petition for writ of mandamus, supplemental petition for writ of mandamus, and related emergency motion to stay proceedings.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Yates and Boyce.