

**Petition for Writ of Mandamus Denied and Opinion filed September 29, 2016.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-16-00720-CV**

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**IN RE STEPHEN PARTEN, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
334th District Court  
Harris County, Texas  
Trial Court Cause No. 2015-40257**

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**MEMORANDUM OPINION**

On September 14, 2016, relator Stephen Parten filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (West 2004); *see also* Tex. R. App. P. 52. In the petition, relator asks this court to compel the Honorable Grant Dorfman, presiding judge of the 334th District Court of Harris County, to

vacate his order signed on July 12, 2015 that disqualifies relator from serving as counsel for Plaintiffs Robert and Marivonne Hymas in the cause below.

To obtain mandamus relief, a relator generally must show both that the trial court clearly abused its discretion and that relator has no adequate remedy by appeal. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). We review a trial court’s decision on a motion to disqualify an attorney using an abuse of discretion standard. *In re Sanders*, 153 S.W.3d 54, 56 (Tex. 2004) (orig. proceeding). “In determining whether the trial court abused its discretion with respect to resolution of factual matters, we may not substitute our judgment for that of the trial court and may not disturb the trial court’s decision unless it is shown to be arbitrary and unreasonable.” *Id.*

Relator has not established that the trial court clearly abused its discretion.

Accordingly, we deny relator’s petition for writ of mandamus.

PER CURIAM

Panel consists of Justices Jamison, McCally, and Wise.