

*Court of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-08-00898-CV

**In re David RODRIGUEZ**

Original Mandamus Proceedings<sup>1</sup>

PER CURIAM

Sitting: Sandee Bryan Marion, Justice  
Rebecca Simmons, Justice  
Steven C. Hilbig, Justice

Delivered and Filed: December 31, 2008

PETITION FOR WRIT OF MANDAMUS DENIED

The court has considered relator's petition for a writ of mandamus and is of the opinion the relator is not entitled to the relief sought. Accordingly, relator's petition for a writ of mandamus is denied. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM

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<sup>1</sup> This proceeding arises out of Cause No. 2008-CI-18211, styled *David Rodriguez v. First Choice Transmissions*, pending in the 285th District Court, Bexar County, Texas, the Honorable David A. Berchelmann, Jr. presiding.