

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00503-CV

IN RE SOMMER DOUGA

Original Proceeding

MEMORANDUM OPINION

Sommer Douga petitions for a writ of mandamus to compel the trial court to abate a child custody modification proceeding. Relator contends that the trial court scheduled a hearing on the basis of an inadequate affidavit. *See* Tex. Fam. Code Ann. § 156.102(c) (West Supp. 2010). Relator requests a stay of the trial scheduled for September 19, 2011. *See* Tex. R. App. P. 52.10. The petition and supporting record do not establish a clear abuse of discretion by the trial court for which a remedy by appeal would be inadequate. *See generally In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135-36 (Tex. 2004); *Walker v. Packer*, 827 S.W.2d 833, 839 (Tex. 1992). Accordingly, we deny the petition for writ of mandamus and request for temporary relief.

PETITION DENIED.

PER CURIAM

Opinion Delivered September 13, 2011
Before McKeithen, C.J., Gaultney and Kreger, JJ.