



**COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH**

**NO. 02-17-00248-CV**

IN RE UNIVERSAL STEEL  
BUILDINGS CORP.

RELATOR

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ORIGINAL PROCEEDING  
TRIAL COURT NO. CV-2016-01310

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**MEMORANDUM OPINION<sup>1</sup>**

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On July 26, 2017, relator, Universal Steel Buildings, Corp., filed a petition for writ of mandamus contending that the trial court abused its discretion in denying its motion to stay the underlying lawsuit based upon the principle of comity.

To be entitled to the extraordinary relief of a writ of mandamus, relator must show that the trial court committed a clear abuse of discretion and that

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<sup>1</sup>See Tex. R. App. P. 47.4, 52.8(d).

there is no adequate remedy by appeal. *In re Laibe Corp.*, 307 S.W.3d 314, 316 (Tex. 2010) (orig. proceeding); *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). Mandamus is appropriate to preserve the principles of comity. See *In re BP Oil Supply Co.*, 317 S.W.3d 915, 922–23 (Tex. App.—Houston [14th Dist.] 2010, orig. proceeding); see also *In re Cooper Indus., LLC*, No. 14-13-00500-CV, 2013 WL 3893984, at \*1 (Tex. App.—Houston [14th Dist.] July 25, 2013, orig. proceeding) (mem. op.).

The court has considered relator’s petition for writ of mandamus and is of the opinion that relator has not shown itself entitled to the relief sought. Accordingly, relator’s petition for writ of mandamus is denied.

PER CURIAM

PANEL: GABRIEL, WALKER, and SUDDERTH, JJ.

WALKER, J. would request a response.

DELIVERED: August 7, 2017