



NUMBER 13-09-00451-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE: CNH CAPITAL AMERICA, LLC

On Petition for Writ of Mandamus

MEMORANDUM OPINION

**Before Justices Rodriguez, Garza and Vela
Memorandum Opinion Per Curiam¹**

Relator, CNH Capital America, LLC, filed a petition for writ of mandamus by which it requests that this Court direct respondent, the Honorable Arnaldo Cantu, Jr., presiding judge of County Court at Law No. 5 of Hidalgo County, Texas, to vacate his July 16, 2009 order denying relator's plea to the jurisdiction in trial court cause number CI-09-1097-E.

This Court, having examined and fully considered relator's petition, is of the opinion that relator has not shown itself entitled to the relief sought and the petition should be denied. See TEX. R. APP. P. 52.8(a). Accordingly, the petition for writ of mandamus is DENIED.

PER CURIAM

Memorandum Opinion delivered and
filed this the 18th day of August, 2009.

¹ See TEX. R. APP. P. 47.4 (distinguishing opinions and memorandum opinions), 52.8(d) ("When denying relief, the court may hand down an opinion but is not required to do so.").