



**NUMBER 13-10-00202-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN RE: JAMES COSENTINO**

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**On Petition for Writ of Mandamus.**

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**MEMORANDUM OPINION**

**Before Justices Yañez, Rodriguez, and Garza  
Memorandum Opinion Per Curiam<sup>1</sup>**

Relator, James Cosentino, filed a petition for writ of mandamus in the above cause on April 9, 2010. On April 13, 2010, the Court entered an order directing the real party in interest, Sally Peters, to file a response to the petition for writ of mandamus. Subsequently, the real party in interest requested and received an extension of time to file her response, and such response was duly filed on May 3, 2010. On May 11, 2010, relator filed a reply to this response, and on May 12, 2010, relator further filed an “Emergency Motion for Stay and for Injunctive Relief against Real Party in Interest.”

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

The Court, having examined and fully considered the petition for writ of mandamus, the response, and the reply thereto, is of the opinion that relator has not shown himself entitled to the relief sought. Accordingly, the petition for writ of mandamus and “Emergency Motion for Stay and for Injunctive Relief” are DENIED. See TEX. R. APP. P. 52.8(a).

PER CURIAM

Delivered and filed the  
17th day of May, 2010.