



NUMBER 13-12-00427-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

IN RE CRIMSON EXPLORATION, INC.

On Petition for Writ of Mandamus

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Garza and Vela
Memorandum Opinion by Justice Garza**

On July 6, 2012, relator, Crimson Exploration, Inc., filed a petition for writ of mandamus in which it alleged that respondent, the Honorable W.C. Kirkendall, presiding judge of the Second 25th Judicial District Court of Lavaca County, Texas, abused his discretion by rendering a discovery order in the underlying cause, trial court cause number 10-11-21491-CV, on June 12, 2012. The June 12 order compelled relator to produce, within 15 days of the order, certain items that relator claims are protected by attorney-client and work product privileges. The trial court subsequently extended the deadline for production until Monday, July 9, 2012. Relator also filed an emergency

motion for stay of the proceedings in the trial court.

On July 6, 2012, this Court ordered a stay of proceedings in trial court cause number 10-11-21491-CV and requested a response by the real parties in interest. On August 6, 2012, real party in interest Magnum Producing, L.P. filed a response. The parties subsequently filed additional replies and supplemental response briefs.

The Court, having examined and fully considered the petition for writ of mandamus, response, and documents on file, is of the opinion that relator has not shown itself to be entitled to the relief sought. Accordingly, the petition for writ of mandamus is hereby DENIED and the stay granted on July 6, 2012 in trial court cause number 10-11-21491-CV is hereby LIFTED.

PER CURIAM

Delivered and filed the
17th day of September, 2012.