



NUMBER 13-22-00079-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

**IN RE THE TEXAS MUNICIPAL LEAGUE
INTERGOVERNMENTAL POOL**

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Benavides and Tijerina
Memorandum Opinion by Justice Tijerina¹**

By petition for writ of mandamus, relator The Texas Municipal League Intergovernmental Risk Pool asserts that the trial court erred by appointing a new appraisal umpire in the underlying insurance coverage dispute with the City of Hidalgo.²

¹ 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. When granting relief, the court must hand down an opinion as in any other case.”); *id.* R. 47.4 (distinguishing opinions and memorandum opinions).

² This Court has previously addressed a separate original proceeding arising from the same case. See *In re Tex. Mun. League Intergovernmental Risk Pool*, No. 13-20-00486-CV, 2021 WL 743305, at *1

Mandamus is an extraordinary and discretionary remedy. See *In re Allstate Indem. Co.*, 622 S.W.3d 870, 883 (Tex. 2021) (orig. proceeding); *In re Garza*, 544 S.W.3d 836, 840 (Tex. 2018) (orig. proceeding) (per curiam); *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 138 (Tex. 2004) (orig. proceeding). The relator must show that (1) the trial court abused its discretion, and (2) the relator lacks an adequate remedy on appeal. *In re USAA Gen. Indem. Co.*, 624 S.W.3d 782, 787 (Tex. 2021) (orig. proceeding); *In re Prudential Ins. Co. of Am.*, 148 S.W.3d at 135–36; *Walker v. Packer*, 827 S.W.2d 833, 839–40 (Tex. 1992) (orig. proceeding).

The Court, having examined and fully considered the petition for writ of mandamus, the response filed by City of Hidalgo, and relator’s reply, is of the opinion that the relator has not met its burden to obtain relief. Accordingly, we deny the petition for writ of mandamus.

JAIME TIJERINA
Justice

Delivered and filed on the
12th day of July, 2022.

(Tex. App.—Corpus Christi—Edinburg Feb. 25, 2021, orig. proceeding [mand. denied]) (mem. op.).