

COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

IN RE	§	No. 08-08-00094-CV
MARILYN J. MCDOWELL	§	An Original Proceeding
RELATOR	§	in Mandamus
	§	
	§	

**MEMORANDUM OPINION ON PETITION FOR WRIT OF MANDAMUS**

Relator, Marilyn J. McDowell, asks this Court to issue a writ of mandamus against the Honorable Eduardo A. Gamboa, Judge of the Probate Court No. 2 of El Paso County in connection with a contempt order. Mandamus will lie only to correct a clear abuse of discretion. *Walker v. Packer*, 827 S.W.2d 833, 840 (Tex. 1992)(orig. proceeding). Moreover, there must be no other adequate remedy at law. *Id.* Contempt orders are not appealable. *Ex parte Rose*, 704 S.W.2d 751, 752 n.1 (Tex.Crim.App. 1984). Further, contempt orders that do not involve confinement cannot be reviewed by writ of habeas corpus, and the only possible relief is a writ of mandamus. *In re Long*, 984 S.W.2d 623, 625 (Tex. 1999). Based on the record before us, we are unable to conclude that Relator is entitled to mandamus relief. Accordingly, we deny the petition for writ of mandamus. *See* TEX.R.APP.P. 52.8(a).

June 5, 2008

DAVID WELLINGTON CHEW, Chief Justice

Before Chew, C.J., Carr, J., and Gomez, Judge  
Gomez, Judge (Sitting by Assignment)