

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

IN RE: ROBERT HINOJO,
Relator.

§
§ No. 08-08-00336-CV
§ AN ORIGINAL PROCEEDING
§ IN MANDAMUS
§
§

MEMORANDUM OPINION
ON PETITION FOR WRIT OF MANDAMUS

Relator, Robert Hinojo, seeks a writ of mandamus against the Honorable Christopher Antcliff, Judge of the 448th District Court of El Paso County, Texas, to set aside an order transferring venue to Tarrant County, Texas. In order to be entitled to mandamus relief, a relator must meet two requirements. First, the relator must show that the trial court clearly abused its discretion. *In re Prudential Insurance Company of America*, 148 S.W.3d 124, 135 (Tex. 2004). Second, the relator must demonstrate he has no adequate remedy by appeal. *Id.* at 135-36. Based on the petition and record before us, we are unable to conclude that Relator is entitled to the relief requested. Accordingly, we deny mandamus relief. *See* TEX. R. APP. P. 52.8(a). Further, Relator's request for emergency relief is denied.

December 11, 2008

ANN CRAWFORD McCLURE, Justice

Before Chew, C.J., McClure, and Rivera, JJ.
Rivera, J., not participating