



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

§
IN RE: INMOBILARIA AXIAL, S.A. DE § No. 08-13-00118-CV
C.V., NAFTA CORP., AND JUAN § AN ORIGINAL PROCEEDING
ALVAREZ, §
Relators. § IN MANDAMUS
§
§

MEMORANDUM OPINION

Relators, Inmobiliaria Axial, S.A. de C.V., Nafta Corp., and Juan Alvarez, have filed a petition for writ of mandamus against the Honorable Sue Kurita, Judge of the County Court at Law No. 6 of El Paso County Texas. Relators asks the Court to issue a writ of mandamus requiring Respondent to enforce a forum selection clause and dismiss claims filed by the Real Party in Interest, Rudy J. Clarke, against the Relators.

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 that there is no adequate remedy by appeal. *Id.* at 135-136. Based on the record before us, we conclude that Relators have not established they are entitled to mandamus relief. Accordingly,

the petition for writ of mandamus is denied. *See* TEX.R.APP.P. 52.8(a).

October 18, 2013

YVONNE T. RODRIGUEZ, Justice

Before McClure, C.J., Rivera, and Rodriguez, JJ.