



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

IN RE: JUAN CARLOS BERMUDEZ, § No. 08-15-00200-CV
§ ORIGINAL PROCEEDING
Relator. § ON PETITION FOR WRIT OF
§ MANDAMUS

MEMORANDUM OPINION

Relator, Juan Carlos Bermudez, has filed a petition for writ of mandamus against the Honorable Laura Strathmann, Judge of the 388th District Court of El Paso County, Texas, challenging an order denying Relator's motion to withdraw deemed admissions. Relator has also filed a motion requesting a stay of the trial set for July 13, 2015. We deny the relief sought in the emergency motion and the mandamus petition.

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 135-36. Based on the record before us, we conclude that Relator has failed to establish he is entitled to mandamus relief. Accordingly, we deny Relator's emergency motion for stay and the petition for writ of mandamus.

STEVEN L. HUGHES, Justice

July 9, 2015

Before McClure, C.J., Rodriguez, and Hughes, JJ.
Rodriguez, J., dissenting