



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

IN RE:	§	No. 08-18-00204-CV
	§	
COPART, INC., COPART OF	§	AN ORIGINAL PROCEEDING
HOUSTON, INC., AND HOUSTON	§	
COPART SALVAGE AUTO	§	IN MANDAMUS
AUCTIONS, LP,	§	
RELATORS.	§	

MEMORANDUM OPINION

Relators, Copart, Inc., Copart of Houston, Inc., and Houston Copart Salvage Auto Auctions, LP, have filed a mandamus petition against the Honorable Selena Solis, Judge of the 243rd District Court of El Paso County, Texas, to challenge an order compelling pre-arbitration discovery and failing to rule on Relators' motion to compel arbitration. The petition for writ of mandamus is denied.

Generally, mandamus relief is appropriate only to correct a clear abuse of discretion or to compel the performance of a ministerial duty, and where the relator has no adequate remedy by appeal. *In re Reece*, 341 S.W.3d 360, 364 (Tex. 2011)(orig. proceeding); *In re Prudential Insurance Company of America*, 148 S.W.3d 124, 135-36 (Tex. 2004)(orig. proceeding). The burden is on relator to show it is entitled to mandamus relief. *See In re Ford Motor Company*, 165 S.W.3d 315, 317 (Tex. 2005)(orig. proceeding); *Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992)(orig. proceeding). After reviewing the mandamus petition and record, and the response

filed by the Real Party in Interest, we conclude that Relators have failed to show that they are entitled to mandamus relief. Accordingly, we deny the petition for writ of mandamus.

August 21, 2019

YVONNE T. RODRIGUEZ, Justice

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