



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

IN RE: KEYVAN PARSA, M.D. AND
MONTOKA PARK PLACE, INC.,

Relators.

§

No. 08-21-00125-CV

§

AN ORIGINAL PROCEEDING

§

IN MANDAMUS

§

§

§

MEMORANDUM OPINION

Relators Keyvan Parsa, M.D., and Montoya Park Place, Inc. have filed a petition for a writ of mandamus asking this Court to overturn an order issued by the Hon. Thomas Spieczny, visiting judge of the 327th District Court, impounding certain funds in the court's registry pending resolution of a lawsuit. Relators also filed a motion for emergency relief from the order pending resolution of the mandamus petition on the merits. The motion for emergency relief and petition for writ of mandamus are denied.

To be entitled to mandamus relief, a relator generally must meet two requirements. First, the relator must show that the trial court clearly abused its discretion. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135 (Tex. 2004) (orig. proceeding). Second, the relator must demonstrate

that there is no adequate remedy by appeal. *Id.* at 135-36. The burden is on the relator to show he is entitled to mandamus relief. *See In re Ford Motor Co.*, 165 S.W.3d 315, 317 (Tex. 2005) (orig. proceeding).

After reviewing the mandamus petition and record, we conclude that Relators have failed to show entitlement to mandamus relief on this record. Accordingly, we deny the emergency motion and the petition for writ of mandamus.

GINA M. PALAFOX, Justice

August 4, 2021

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