

**DENY; and Opinion Filed November 8, 2013.**



**In The  
Court of Appeals  
Fifth District of Texas at Dallas**

---

**No. 05-13-01443-CV**

---

**IN RE THOMAS J. ELLIS, Relator**

---

**Original Proceeding from the County Court at Law No. 3  
Dallas County, Texas  
Trial Court Cause No. CC-13-01827-C**

---

**MEMORANDUM OPINION**

Before Justices O'Neill, Lang-Miers, and Evans  
Opinion by Justice O'Neill

Relator contends the trial judge erred in granting summary judgment. The facts and issues are well known to the parties, so we need not recount them herein. Based on the record before us, we conclude relator has not shown he is entitled to the relief requested. *See* TEX. R. APP. P. 52.8(a); *Walker v. Packer*, 827 S.W.2d 833, 839-40 (Tex. 1992) (orig. proceeding). Accordingly, we **DENY** relator's petition for writ of mandamus.

/Michael J. O'Neill/  
MICHAEL J. O'NEILL  
JUSTICE

---