

**Writ of Mandamus is DENIED; Opinion Filed January 14, 2014.**



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

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**No. 05-13-01560-CV**

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**IN RE LYNNE MCGREAL TONTI, Relator**

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**Original Proceeding from the 191st Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-13-03325-F**

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**MEMORANDUM OPINION**

Before Justices Moseley, Lang-Miers, and Evans  
Opinion by Justice Moseley

Relator contends the trial judge erred in ordering that her claims against real party in interest Susan Newell Custom Home Builders, Inc. must be arbitrated. The facts and issues are well known to the parties, so we need not recount them herein. We considered the arbitration clause at issue in an order granting mandamus and an accompanying opinion, *In re Susan Newell Custom Home Builders, Inc., Susan Newell, Individually, and Lisa Doolitte, Relators*, No. 05-13-01474-CV (Tex. App.—Dallas, Jan. 14, 2014) (orig. proceeding). We have concluded that relator's claims against all parties must be arbitrated. Based on the record before us, therefore, we conclude relator has not shown she 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.

/Jim Moseley/  
JIM MOSELEY  
JUSTICE

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