

**DENY; and Opinion Filed September 2, 2014.**



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

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**No. 05-14-01111-CV**

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**IN RE CARL WILLIAM WHITACRE, Relator**

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**Original Proceeding from the 302nd Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. 14-01264-U**

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**MEMORANDUM OPINION**

Before Justices O'Neill, Lang, and Brown  
Opinion by Justice O'Neill

Relator filed this petition for writ of mandamus requesting that the Court order the trial court to vacate its verbal order of August 29, 2014 ordering relator to pay one-half of the private school tuition for the child who is the subject of this suit affecting the parent child relationship by 10:00 a.m. on September 2, 2014. The facts and issues are well-known to the parties so we do not recount them here. Ordinarily, to obtain mandamus relief, a relator must show both that the trial court has clearly abused its discretion and that relator has no adequate appellate remedy. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding).

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/  
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MICHAEL J. O'NEILL  
JUSTICE

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