

DENY; and Opinion Filed December 12, 2014.



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

No. 05-14-01565-CV

DEBORAH HUMPHREY, Relator

**Original Proceeding from the 191st Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-13-07257**

MEMORANDUM OPINION

Before Justices Lang-Miers, Myers, and Stoddart
Opinion by Justice Lang-Miers

Relator filed this petition for writ of mandamus requesting that the Court order the trial court to: 1) vacate the oral order of November 13, 2014 and written order of December 11, 2014 denying relator's motion to dismiss the case for want of prosecution and 2) order the trial court to dismiss the underlying cause of action with prejudice. 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). We conclude relator has not shown she is entitled to relief. *Walker v. Packer*, 827 S.W.2d 833, 839–40 (Tex. 1992) (orig. proceeding). We deny the petition for writ of mandamus.

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE