

Denied and Opinion filed October 4, 2016



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

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No. 05-16-01036-CV

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IN RE: DERIC VALDEZ, Relator

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Original Proceeding from the 330th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DF-11-07033

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**MEMORANDUM OPINION**

Before Justices Bridges, Myers, and Whitehill  
Opinion by Justice Whitehill

Before the Court is relator's September 6, 2016 amended petition for writ of mandamus in which he seeks relief from temporary orders issued by the trial court in a SAPCR case.

To be entitled to 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). Because a trial court's temporary orders are not appealable, mandamus is an appropriate means to challenge them. *In re Kyburz*, 05-15-01163-CV, 2015 WL 6935912, at \*1 (Tex. App.—Dallas Nov. 10, 2015, orig. proceeding) (mem. op.). 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.

/Bill Whitehill/  
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BILL WHITEHILL  
JUSTICE

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