

Denied and Opinion Filed December 28, 2017



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-01197-CV

IN RE MICHAEL J. HARVEY III, Relator

Original Proceeding from the Probate Court No. 1
Dallas County, Texas
Trial Court Cause No. PR-14-04331-1

MEMORANDUM OPINION

Before Justices Lang, Brown, and Stoddart
Opinion by Justice Lang

In this original proceeding, relator complains of the trial court's denial of relator's motion in limine regarding the standing of the real parties in interest. 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). Based on the record before us, we conclude relator has not shown he is entitled to the relief requested. *See Holcomb v. Holcomb*, 803 S.W.2d 411, 413–14 (Tex. App.—Dallas 1991, writ denied). Accordingly, we deny relator's petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a) (the court must deny the petition if the court determines relator is not entitled to the relief sought).

/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

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