

DENY; and Opinion Filed December 28, 2017.



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-01432-CV

IN RE JOANN SEMPLE, Relator

Original Proceeding from the 192nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-12-04706

MEMORANDUM OPINION

Before Justices Bridges, Fillmore, and Schenk
Opinion by Justice Fillmore

Before the Court is relator's December 13, 2017 petition for writ of mandamus in which relator complains of the trial court's December 9, 2016 order denying relator's motion to re-open the underlying 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). Based on the record before us, we conclude relator has not shown she is entitled to the relief requested. 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).

/Robert M. Fillmore/
ROBERT M. FILLMORE
JUSTICE
