

Denied and Opinion Filed March 7, 2018



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-18-00186-CV

IN RE JAMES L. ROWE, Relator

Original Proceeding from the 304th Judicial District Court
Dallas County, Texas
Trial Court Cause No. JD-35928-W

MEMORANDUM OPINION

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

Before the Court is relator's petition for writ of mandamus in which he complains that the trial court ruled on relator's motion to reinstate without relator in attendance at the hearing and without first ruling on relator's motion to appear by telephone for the hearing. 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. Relator has not shown the trial court abused its discretion. Further, relator has an adequate remedy by appeal.

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).

/Bill Whitehill/

BILL WHITEHILL
JUSTICE

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