

Denied and Opinion Filed October 1, 2018



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-18-01070-CV

IN RE SHERRI TURNER, Relator

Original Proceeding from the County Court at Law No. 5
Dallas County, Texas
Trial Court Cause No. CC-15-06454-E

MEMORANDUM OPINION

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

In this original proceeding, relator seeks a writ of mandamus directing the trial court to vacate its order denying relator's motion for new trial and to issue written orders granting the motion for new trial and dismissing the real party in interest's claims. 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). We conclude relator has an adequate appellate remedy and is, therefore, not 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).

/Lana Myers/
LANA MYERS
JUSTICE

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