

DENY; and Opinion Filed November 28, 2018.



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

No. 05-18-01192-CV

IN RE MARK STEVEN MCANDREWS, Relator

**Original Proceeding from the 59th Judicial District Court
Grayson County, Texas
Trial Court Cause No. FA-18-0614**

MEMORANDUM OPINION

Before Justices Lang-Miers, Fillmore, and Stoddart
Opinion by Justice Fillmore

In the underlying suit affecting the parent-child relationship, the maternal grandparents of relator's children sought possession and access to the children. In this original proceeding, relator seeks a writ of mandamus directing the trial court to vacate the trial court's October 2, 2018 order granting possession of and access of relator's children to the maternal grandparents and dismiss the underlying case. We deny the petition.

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). The October 2, 2018 order at issue here disposes of all parties and all claims and is, therefore, final and appealable. *See Lehmann v. Har-Con Corp.*, 39 S.W.3d 191, 192 (Tex. 2001). Relator, therefore, 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).

/Robert M. Fillmore/

ROBERT M. FILLMORE
JUSTICE

181192F.P05