

DENY; and Opinion Filed November 15, 2018.



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

No. 05-18-01260-CV

IN RE JEFFREY BORDOK, Relator

**Original Proceeding from the 134th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-16-12565**

MEMORANDUM OPINION

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

In this original proceeding, relator complains that the trial court granted the real party in interest's motion to exclude certain opinions of one of relator's experts. Relator seeks a writ of mandamus directing the trial court to vacate the order excluding the expert's testimony and to deny the real party in interest's motion to exclude that testimony. 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. 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

181260F.P05