

DENY; and Opinion Filed December 10, 2018.



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

No. 05-18-01282-CV

IN RE HILLVIEW VILLAGE, LP AND FIRESIDE CUSTOM HOMES, LLC, Relators

**Original Proceeding from the 429th Judicial District Court
Collin County, Texas
Trial Court Cause No. 429-04442-2018**

MEMORANDUM OPINION

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

Before the Court is relators' petition for writ of mandamus in which they contend the trial court clearly abused its discretion by denying relators' motion to dissolve a writ of garnishment and refusing to resolve the issue of ownership of the funds in an expedited hearing under rule of civil procedure 664a. 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 relators have not shown they are entitled to the relief requested. Accordingly, we deny relators' 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).

/Craig Stoddart/

**CRAIG STODDART
JUSTICE**