

Denied and Opinion Filed November 27, 2018



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-18-01365-CV

IN RE ALEIDA FALKINER AND JOHN HARVEY, Relators

Original Proceeding from the Probate Court No. 1
Dallas County, Texas
Trial Court Cause No. PR-14-04331-1

MEMORANDUM OPINION

Before Justices Bridges, Brown, and Boatright
Opinion by Justice Bridges

In this original proceeding, relators seek a writ of mandamus directing the trial court to vacate its severance order that bifurcates the parties' claims for two trials. 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).

/David L. Bridges/

DAVID L. BRIDGES
JUSTICE