

**DENY and Opinion Filed September 19, 2019**



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

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**No. 05-19-00859-CV**

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**IN RE BURNING BUSH MISSIONARY BAPTIST CHURCH, INC., AND  
BURNING BUSH ACADEMY AFFORDABLE DAYCARE, Relators**

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**Original Proceeding from the Probate Court No. 2  
Dallas County, Texas  
Trial Court Cause No. PR-19-00422-2**

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**MEMORANDUM OPINION**

Before Justices Bridges, Osborne, and Carlyle  
Opinion by Justice Osborne

Before the Court is relators' July 21, 2019 petition for writ of mandamus challenging the trial court's denial of their plea to the jurisdiction regarding real party in interest's counterclaim in the lawsuit relators filed against her. Relators assert the ecclesiastical abstention doctrine deprives the trial court of subject matter jurisdiction over the counterclaim.

To be entitled to mandamus relief, relators must show both that the trial court has clearly abused its discretion and that relators have no adequate appellate remedy. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). After reviewing the petition and the mandamus record, 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).

/Leslie Osborne/  
LESLIE OSBORNE  
JUSTICE

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