

**DENY and Opinion Filed September 15, 2020**



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

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**No. 05-20-00785-CV**

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**IN RE INFORM DIAGNOSTICS, INC. F/K/A MIRACA LIFE SCIENCE,  
INC., Relator**

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**Original Proceeding from the 191st Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DC-20-10190-J**

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**MEMORANDUM OPINION**

**Before Justices Osborne, Reichel, and Browning  
Opinion by Justice Osborne**

Before the Court are relator's September 1, 2020 petition for writ of mandamus; relator's September 4, 2020 emergency motion for temporary relief; and real party in interest's response to the emergency motion. In the petition, relator complains of the trial court's denial of relator's motion to compel arbitration pursuant to the Federal Arbitration Act.

Entitlement to mandamus relief requires relator to 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). Relator has failed to show it lacks an adequate remedy on appeal. *See*

*In re Dallas Food & Beverage, LLC d/b/a Bucks Cabaret*, No. 05-17-00643-CV, 2017 WL 2610040 (Tex. App.—Dallas June 16, 2017, orig. proceeding) (mem. op.) (adequate remedy exists where motion denying arbitration complained of in mandamus is subject to interlocutory appeal). Accordingly, we deny the petition for writ of mandamus. Having denied the petition, we also deny relator’s emergency motion for temporary relief as moot.

/Leslie Osborne/  
LESLIE OSBORNE  
JUSTICE

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