

DENY and Opinion Filed October 7, 2021



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

No. 05-21-00801-CV

IN RE FREDERICK ALTYMAN BROWN, JR., Relator

**Original Proceeding from the 191st Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-19-20105**

MEMORANDUM OPINION

Before Justices Schenck, Nowell, and Garcia
Opinion by Justice Garcia

Relator's petition for writ of mandamus asks that we compel the trial court to rule on a special appearance filed months after the court granted a summary judgment motion and on other matters pertaining to the court's jurisdiction and recusal. Entitlement to mandamus relief requires relator to show 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 petition and the record before us, we conclude that relator has failed to show his entitlement to the relief requested. Accordingly, we deny the petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a).

Having denied the petition, we also deny relator's motion for stay as moot.

/Dennise Garcia/
DENNISE GARCIA
JUSTICE

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