

**DENY and Opinion Filed October 7, 2021**



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

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**No. 05-21-00808-CV**

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**IN RE SUNCOAST POST-TENSION, LTD., Relator**

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**Original Proceeding from the County Court of Law No. 4  
Dallas County, Texas  
Trial Court Cause No. CC-21-02901-D**

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**MEMORANDUM OPINION**

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

In its September 20, 2021 petition for writ of mandamus, relator challenges the trial court's August 12, 2021 order granting a verified petition requesting deposition to investigate potential claims filed by the Real Party in Interest, Edgar Berrios, under Texas Rules of Civil Procedure 202. Entitlement to mandamus relief requires relator to show that the trial court clearly abused its discretion and that he lacks an adequate appellate remedy. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding).

Based on our review of the petition and record, we conclude relator has failed to demonstrate an entitlement to mandamus relief. Accordingly, we deny the petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a). We deny relator's motion for emergency temporary relief as moot.

/Dennise Garcia/

DENNISE GARCIA  
JUSTICE

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