

DENY and Opinion Filed October 14, 2021



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

No. 05-21-00892-CV

IN RE SARABETH TAYLOR MONTES, Relator

**Original Proceeding from the 301st Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-19-02898**

MEMORANDUM OPINION

Before Justices Molberg, Reichek, and Smith
Opinion by Justice Molberg

In this original proceeding, relator asks this Court to compel the trial court to set aside its memorandum rulings and render a final divorce decree that incorporates the parties' mediated settlement agreement. Entitlement to mandamus relief requires relator to show that the trial court clearly abused its discretion and that she 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 that relator has an adequate remedy by appeal. 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 emergency relief as moot.

210892f.p05

/Ken Molberg/
KEN MOLBERG
JUSTICE