

DENY and Opinion Filed December 7, 2021



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

No. 05-21-01042-CV

IN RE DAVID BARNES, Relator

**Original Proceeding from the 330th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF11-11126**

MEMORANDUM OPINION

Before Justices Myers, Partida-Kipness, and Carlyle
Opinion by Justice Myers

In his December 1, 2021 petition for writ of mandamus, relator challenges the trial court's November 17, 2021 ruling modifying his possession schedule. Entitlement to mandamus relief requires relator to show that the trial court clearly abused its discretion and that he lacks an adequate remedy by appeal. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding).

Based on our review of the petition and the record, we conclude that relator has failed to show a clear abuse of discretion. Accordingly, we deny mandamus relief. *See* TEX. R. APP. P. 52.8(a).

Also before the court is relator's December 1, 2021 motion to seal court records. We grant the motion and direct the Clerk of the Court to place relator's

December 1, 2021 petition for writ of mandamus and the accompanying mandamus record under seal.

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/Lana Myers/
LANA MYERS
JUSTICE