

DENY and Opinion Filed April 22, 2022



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

No. 05-21-00695-CV

**IN RE WALNUT HILL PHYSICIANS' HOSPITAL, LLC D/B/A WALNUT
HILL MEDICAL CENTER, Relator**

**Original Proceeding from the 192nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-17-06696**

MEMORANDUM OPINION

Before Justices Osborne, Pedersen, III, and Goldstein
Opinion by Justice Osborne

In this original proceeding, relator Walnut Hill Physicians' Hospital, LLC d/b/a Walnut Hill Medical Center petitions this Court for a writ of mandamus ordering respondent to vacate and set aside her August 13, 2021 order denying relator's motion to quash a trial subpoena and to quash the trial subpoena at issue.

Entitlement to mandamus relief requires relator to show that the trial court clearly abused its discretion and that relator lacks an adequate appellate remedy. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). After reviewing relator's petition, the response, relator's reply, the parties' letters regarding supplemental authorities, and the record, we conclude that

relator has failed to demonstrate a clear abuse of discretion. Accordingly, we deny the petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a).

/Leslie Osborne/

LESLIE OSBORNE
JUSTICE

Goldstein, J., dissenting without opinion.

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