

DENY and Opinion Filed May 31, 2022



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

No. 05-22-00287-CV

IN RE DAVID BARNES, Relator

**Original Proceeding from the 330th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-11-11126**

MEMORANDUM OPINION

Before Justices Myers, Nowell, and Goldstein
Opinion by Justice Myers

Relator's April 1, 2022 petition for writ of mandamus challenges the trial court's order denying his motion for a custody evaluation. 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). After reviewing the petition and the record, we conclude that relator has failed to show an abuse of discretion. *See* TEX. R. APP. P. 52.8(a). Accordingly, we deny the petition for writ of mandamus.

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/Lana Myers/
LANA MYERS
JUSTICE