

DENY and Opinion Filed May 12, 2022



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

No. 05-22-00427-CV

IN RE LUKE SCHWINCK, Relator

**Original Proceeding from the 470th Judicial District Court
Collin County, Texas
Trial Court Cause No. 470-56682-2021**

MEMORANDUM OPINION

Before Justices Schenck, Reichel, and Carlyle
Opinion by Justice Schenck

In his May 5, 2022 petition for writ of mandamus, relator asks us to compel the trial court to: (1) vacate various temporary orders regarding possession, conservatorship, and child support; and (2) rule on a pending motion for reconsideration. 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 the record before us, we conclude that relator has failed to demonstrate an abuse of discretion. *See* TEX. R. APP. P. 52.8(a).

Accordingly, we deny the petition for writ of mandamus.

/David J. Schenck/

DAVID J. SCHENCK
JUSTICE

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