

**DENY and Opinion Filed August 26, 2022**



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

**No. 05-22-00656-CV**

**IN RE NICHOLAS D. MOSSER, Relator**

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**Original Proceeding from the 471st Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 471-06006-2019**

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**MEMORANDUM OPINION**

Before Justices Osborne, Partida-Kipness, and Smith  
Opinion by Justice Osborne

Relator's July 1, 2022 petition for writ of mandamus challenges the trial court's order (1) sustaining real party in interest Fidelity National Title Insurance Company's objections to the subpoena duces tecum and (2) granting the motion for protective order. 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. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding).

After reviewing the petition and the record before us, 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).

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/Leslie Osborne//

LESLIE OSBORNE  
JUSTICE