

DENY and Opinion Filed September 23, 2022



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

No. 05-22-00760-CV

IN RE THE STATE OF TEXAS, Relator

**Original Proceeding from the County Court at Law No. 2
Dallas County, Texas
Trial Court Cause No. CC-22-02427-B**

MEMORANDUM OPINION

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

Relator, the State of Texas, has filed this petition for writ of mandamus complaining that (1) the trial court abused its discretion by striking the State's intervention and (2) real party in interest lacks standing to bring the underlying suit. 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 the petition and the record before us, we conclude that the State has failed to demonstrate that the trial court abused its discretion. Accordingly, we deny the petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a).

Also pending before the Court is relator's motion to consolidate this original proceeding with two related appeals. Having denied the petition for writ of mandamus, we deny the motion as moot.

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/Lana Myers//

LANA MYERS
JUSTICE