

DENIED and Opinion Filed August 14, 2023



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

No. 05-23-00567-CV

IN RE DANIEL J. MOOS, Relator

**Original Proceeding from the 160th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-20-17668**

MEMORANDUM OPINION

Before Justices Reichek, Smith, and Kennedy
Opinion by Justice Kennedy

Before the Court is relator's June 7, 2023 petition for writ of mandamus. Relator asks this Court to compel the trial court to (1) vacate its May 12, 2023 order denying relator's motion to disburse funds from the registry of the court and (2) order that the interpleaded funds be immediately paid to relator.

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 and the record before us, we conclude that relator has failed to demonstrate entitlement to mandamus relief.

Accordingly, we deny the petition for writ of mandamus. *See* TEX. R. APP. P.

52.8(a).

/Nancy Kennedy/
NANCY KENNEDY
JUSTICE

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