

Opinion issued August 13, 2008



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-08-00554-CV

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IN RE DAPHNE SCARBROUGH, Relator

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Original Proceeding On Petition For Writ Of Mandamus

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**MEMORANDUM OPINION**<sup>1</sup>

By petition for writ of mandamus, relator, Daphne Scarbrough, seeks vacation of the trial court's June 20, 2008 order denying her motion to abate. In the alternative, she seeks mandamus relief for a declaration of standing.

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<sup>1</sup> The underlying case is *Daphne Scarbrough v. The Metropolitan Transit Authority of Harris County*, Cause No. 2007-31651, in the 215th Judicial District Court of Harris County, Texas, the Hon. Levi Benton, presiding.

We **deny** the petition for writ of mandamus.

**Per Curiam**

Panel consists of Justices Nuchia, Alcalá, and Hanks.