

Opinion issued May 7, 2009



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

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NO. 01-09-00160-CV

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**IN RE TERRY MOSSER, INDEPENDENT ADMINISTRATOR OF THE  
ESTATE OF CAROL WHITSETT, 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, Terry Mosser, seeks relief dismissing the underlying suit for lack of jurisdiction.

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<sup>1</sup> The underlying case is *Steven Engelhardt v. Terry Mosser, Independent Administrator of the Estate of Carol Witsett*, Cause No. 1995-15976, in the 151st Judicial District Court of Harris County, Texas, the Hon. Mike Engelhart, presiding.



We **deny** the petition for writ of mandamus. All pending motions are overruled as moot.

**Per Curiam**

Panel consists of Justices Taft, Bland, and Sharp.