

Opinion issued October 1, 2010



In The
Court of Appeals
For The
First District of Texas

NO. 01-10-00801-CV

IN RE JAMES SHU, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, James Shu, has filed a petition for writ of mandamus. Relator challenges the trial court's August 27, 2010 "Order Granting Motion to Vacate."¹

¹ The respondent is The Honorable Al Bennett, Presiding Judge of the 61st Judicial District Court of Harris County. The underlying suit is *James Shu v. Di Yu, Fujin (Shanghai) Restaurant, and YWHC, L.L.C.*, No. 2009-46275 (61st Dist. Court, Harris County, Tex.).

We deny relator's petition for writ of mandamus.

PER CURIAM

Panel consists of Justices Keyes, Higley, and Bland.