

Opinion issued September 22, 2011.



In The
Court of Appeals
For The
First District of Texas

NO. 01-11-00761-CV

IN RE CAROLL SALLEY, Relator

**On Appeal from the 151st District Court
Harris County, Texas
Trial Court Case No. 2009-13508**

MEMORANDUM OPINION

By petition for writ of mandamus, relator, Carroll Salley, challenges the trial court's interlocutory summary judgment declaring that the Texas Education Agency, pursuant to Title 19, Part 2 of the Texas Administrative Code, and not the Texas Nonprofit Corporation Act,¹ governs the Association for the Development of

¹ TEX. BUS. ORG. CODE ANN. §§ 22.001–22.409 (West 2010).

Academic Excellence's board of directors, permanently enjoining Salley and others from, among other things, participating as board members, and declaring certain prior actions undertaken by a purported quorum of the board void ab initio.²

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

PER CURIAM

Panel consists of Chief Justice Radack and Justices Bland and Huddle.

² The underlying case is *Association for the Development of Academic Excellence, Inc., d/b/a Girls and Boys Preparatory Academy*, No. 2009-13508, in the 151st District Court of Harris County, Texas, the Honorable Mike Engelhart presiding.