

Opinion issued August 4, 2020



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00056-CV

IN RE THE HOUREAL CORPORATION, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, The HouReal Corporation, has filed a petition for a writ of mandamus challenging the trial court's order denying its motion to compel discovery regarding real party in interest, Rescue Concept, Inc.'s efforts to sell a parcel of land to a third party.

We deny relator’s petition for writ of mandamus.¹

Mandamus is an extraordinary remedy that is only available in limited circumstances. *See Walker v. Packer*, 827 S.W.2d 833, 839–40 (Tex. 1992). Discovery matters are generally within the trial court’s sound discretion, but “mandamus will issue to correct a discovery order if the order constitutes a clear abuse of discretion and there is no adequate remedy by appeal.” *See In re Colonial Pipeline Co.*, 968 S.W.2d 938, 941 (Tex. 1998). “[A] clear failure by the trial court to analyze or apply the law correctly will constitute an abuse of discretion.” *Walker*, 827 S.W.3d at 840.

Relator has not demonstrated that the trial court committed an abuse of discretion in denying its motion to compel discovery. *See id.* at 839 (trial court abuses its discretion where “it reaches a decision so arbitrary and unreasonable as to amount to a clear and prejudicial error of law”). Accordingly, we deny relator’s petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a), (d). All pending motions are dismissed as moot.

PER CURIAM

Panel consists of Justices Keyes, Kelly, and Landau

¹ The underlying case is *The HouReal Corporation v. Rescue Concepts, Inc.*, Cause No. 2014-71749, in the 270th District Court of Harris County, Texas, the Honorable Dedra Davis presiding.