

Opinion issued November 8, 2022



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

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NO. 01-22-00788-CV

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**IN RE HIGHLAND HOMES–HOUSTON, LLC, Relator**

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**Original Proceeding on Petition for Writ of Mandamus**

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**MEMORANDUM OPINION**

Relator, Highland Homes–Houston, LLC, has filed a petition for writ of mandamus, challenging the trial court’s August 24, 2022 Order Granting Plaintiff’s Motion to Reinstate Case, and in the Alternative, Motion to Withdraw Nonsuit as to Michael and Sharon Fibich.<sup>1</sup>

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<sup>1</sup> The underlying case is *Jacob Taylor and Paget Taylor v. Highland Homes–Houston, LLC, Michael J. Fibich, Jr. and Sharon S. Fibich*, cause number 20-DCV-279636, pending in the 268<sup>th</sup> District Court of Fort Bend County, the Honorable O’Neil Williams presiding.

We deny mandamus relief. *See* TEX. R. APP. P. 52.8(a). Any pending motions are dismissed as moot.

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Countiss and Rivas-Molloy.