

**Motion for Emergency Stay Denied; Petition for Writ of Mandamus Denied and Memorandum Opinion filed March 10, 2011.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-11-00189-CV**

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**IN RE FIDEL ALMENDAREZ, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS**

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**MEMORANDUM OPINION**

On March 4, 2011, relator filed a motion for emergency stay and petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (Vernon 2004); *see also* Tex. R. App. P. 52. In his motion, relator requests an emergency stay pending determination of the merits of his petition. In the petition, relator asks this court to compel the Honorable Kyle Carter, presiding judge of the 125th District Court of Harris County, to set aside his order of November 11, 2009.<sup>1</sup>

Currently pending in this court is an appeal from that judgment, No. 14-10-00085-CV; *Fidel Almendarez v. Roy Valentine*. Relator does not assert, much less

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<sup>1</sup> Relator's petition incorrectly identifies the date of judgment as November 9, 2009.

demonstrate, that his appeal is an inadequate remedy at law. *See Walker v. Packer*, 827 S.W.2d 833, 839-40 (Tex. 1992).

Relator has not established that he is entitled to mandamus relief. Accordingly, we deny relator's petition for writ of mandamus and motion for emergency stay.

PER CURIAM

Panel consists of Justices Brown, Boyce, and Jamison.