

**Memorandum Opinion Dated January 28, 2016 is Withdrawn, Petition for Writ of Mandamus Denied, Motion for Rehearing En Banc Denied as Moot, and Memorandum Opinion on Rehearing filed March 22, 2016.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-15-00962-CV**

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**IN RE OLA JOHNSON HARRIS, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
412th District Court  
Brazoria County, Texas  
Trial Court Cause No. 78037-CV**

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**MEMORANDUM OPINION ON REHEARING**

Relator Ola Johnson Harris filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (West 2004); *see also* Tex. R. App. P. 52. In the petition, relator asks this court to compel the Honorable W. Edwin Denman, presiding judge of the 412th District Court of Brazoria County, to vacate

his November 2, 2015 order granting real party in interest's motion to compel cell phone provider records.<sup>1</sup>

The trial court has ruled on relator's objections to discovery, but has not ruled on what documents, if any, will be ordered produced to real party in interest. We conclude that relator's request for relief is premature. *See In re Martinez*, No. 08-03-00361-CV, No. 2003 WL 22023485, at \*1 (Tex. App.—El Paso Aug. 28, 2003, orig. proceeding [pet. dismiss'd]) (mem. op.) (denying mandamus relief on order compelling production where trial court had not conducted an in camera review and had not made any further orders with respect to those documents).

Relator has not shown that she is entitled to mandamus relief. Accordingly, we deny relator's petition for writ of mandamus.

PER CURIAM

Panel consists of Chief Justice Frost and Justices Christopher and Donovan.

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<sup>1</sup> We issued our original memorandum opinion on January 28, 2016. Relator filed a motion for rehearing. We overrule the motion for rehearing, withdraw our prior opinion, issue this memorandum opinion on rehearing, and deny the motion for rehearing en banc as moot.