

**Petition for Writ of Mandamus Denied and Opinion filed May 17, 2016.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-16-00244-CV**

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**IN RE L & M BOTRUC RENTAL, INC., Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
County Court No. 3  
Galveston County, Texas  
Trial Court Cause No. CV-0072453**

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**MEMORANDUM OPINION**

On March 28, 2016, relator L & M Botruc Rental, Inc. 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 Jack Ewing, presiding judge of the County Court No. 3 of Galveston County, to (1) vacate his March 10, 2016 "Order Denying Botruc's Motion to

Dismiss Based on Forum Non Conveniens”, and (2) dismiss the case for forum non conveniens.

To obtain mandamus relief, a relator must show both that the trial court clearly abused its discretion and that relator has no adequate remedy by appeal. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding).

Relator has not established that the trial court clearly abused its discretion. Accordingly, we deny relator’s petition for writ of mandamus.

PER CURIAM

Panel consists of Justices Jamison, Donovan, and Brown.