

**Petition for Writ of Mandamus Denied and Opinion filed July 12, 2016.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-16-00433-CV**

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**IN RE JOYCE M. HUTCHERSON, RUDOLPH J. PUSOK  
AND JIMMIE R. PUSOK, Relators**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
County Civil Court at Law No. 4  
Harris County, Texas  
Trial Court Cause No. 1059926**

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**MEMORANDUM OPINION**

On May 31, 2016, relators Joyce M. Hutcherson, Rudolph J. Pusok and Jimmie R. Pusok 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, relators ask this court to compel the Honorable Roberta Lloyd, presiding judge of the County Civil Court at Law No. 4 of Harris County, to (1) vacate her April 25,

2016 order that denied relators' motion to enforce the parties' Rule 11 scheduling agreement by striking the real party-in-interest Harris County's Second Amended Petition as untimely under the agreement, and (2) enter an order enforcing the parties' Rule 11 scheduling agreement. Relators also request a stay of the underlying trial court proceedings.

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).

Relators have not established that the trial court clearly abused its discretion. Accordingly, we deny relators' petition for writ of mandamus.

PER CURIAM

Panel consists of Chief Justice Frost and Justices McCally and Brown.