

Petition for Writ of Mandamus Denied and Opinion filed January 19, 2017.



In The

Fourteenth Court of Appeals

NO. 14-17-00033-CV

IN RE PRAC-II, LLC AND STAR REALTY, INC, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
152nd District Court
Harris County, Texas
Trial Court Cause No. 2015-74237**

MEMORANDUM OPINION

On January 12, 2017, relators PRAC-II, LLC and Star Realty, 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, relators asks this court to compel the Honorable Robert Schaffer, presiding judge of the 152nd District Court of Harris County, to vacate part of his December 23, 2016 Order that denied

relators' Motion for Partial Summary Judgment on Medical Causation and/or to Strike Krista Formica, M.D., specifically, the denial of relators' motion to strike Dr. Krista Formica as a medical expert as to any opinions that mold caused the alleged injuries.

Relators also filed an emergency motion asking this court to stay the trial that is anticipated to begin on January 23, 2017.

To obtain mandamus relief, relator must show, among other things, 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 made this showing. *See In re McAllen Med. Ctr., Inc.*, 275 S.W.3d 458, 465–66 (Tex. 2008); *In re Thuesen*, No. 14-13-00243-CV, 2013 WL 1499598, at *2 (Tex. App.—Houston [14th Dist.] Apr. 11, 2013, orig. proceeding) (mem. op.). We therefore deny relators' petition for writ of mandamus and motion to stay the trial.

PER CURIAM

Panel consists of Justices Boyce, Busby, and Wise.