

**Petition for Writ of Mandamus Denied and Memorandum Opinion filed
August 2, 2018.**



In The

Fourteenth Court of Appeals

NO. 14-18-00572-CV

IN RE BRUCE HIRAN AND HUNG N. YI, Relators

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
151st District Court
Harris County, Texas
Trial Court Cause No. 2017-06257**

MEMORANDUM OPINION

On July 13, 2018, relators Bruce Hiran and Hung N. Yi filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (West Supp. 2017); *see also* Tex. R. App. P. 52. In the petition, relators ask this court to compel the Honorable Mike Engelhart, presiding judge of the 151st District Court of Harris

County, to vacate his: (1) November 21, 2017 order setting aside the default judgment in favor of relators and against Long Beach Mortgage Company; (2) May 23, 2018 order denying relators' leave to file a second amended petition, and (3) May 23, 2018 order denying relators' motion for summary judgment. Relators also filed a motion for stay with this court. *See* Tex. R. App. P. 52.10(a).

With certain exceptions, to obtain mandamus relief, a relator must show both that the trial court clearly abused its discretion and that the relator has no adequate remedy by appeal. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). One exception provides that when an order is void, the relator need not show the lack of an adequate appellate remedy, and mandamus relief is appropriate. *In re Vaishangi, Inc.*, 442 S.W.3d 256, 261 (Tex. 2014) (orig. proceeding).

Relators have not shown that they are entitled to mandamus relief. We therefore deny relators' petition for writ of mandamus and motion for stay.

PER CURIAM

Panel consists of Chief Justice Frost and Justices Boyce and Jewell.