

**Petition for Writ of Mandamus Denied and Memorandum Opinion filed
October 9, 2018.**



In The

Fourteenth Court of Appeals

NO. 14-18-00819-CV

**IN RE HENEK FLUID PURITY SYSTEMS, INC. AND BRIAN KAMKE,
Relators**

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
133rd District Court
Harris County, Texas
Trial Court Cause No. 2017-39455**

MEMORANDUM OPINION

On September 18, 2018, relators Henek Fluid Purity Systems, Inc. and Brian Kamke 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 Jaclanel McFarland, presiding judge of the 133rd District Court of Harris County, to vacate her August 29, 2018 order compelling arbitration.

With certain exceptions not applicable here, 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 shown that they do not have an adequate remedy by appeal after final judgment. *See In re Gulf Exploration, LLC*, 289 S.W.3d 836, 842–43 (Tex. 2009) (orig. proceeding); *Kahn v. Baker Nissan N., Inc.*, No. 14-09-00106-CV, 2009 WL 1795580 (Tex. App.—Houston [14th Dist.] June 25, 2009, orig. proceeding) (per curiam) (mem. op.). Accordingly, we deny relators’ petition for writ of mandamus.

PER CURIAM

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