

**Petition for Writ of Mandamus Denied and Memorandum Opinion filed
November 6, 2018.**



In The

Fourteenth Court of Appeals

NO. 14-18-00899-CV

IN RE DONNIE MINNARD, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
125th District Court
Harris County, Texas
Trial Court Cause No. 2017-31207**

MEMORANDUM OPINION

On October 17, 2018, relator Donnie Minnard 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, relator asks this court to compel the Honorable Kyle Carter, presiding judge of the 125th District Court of Harris County,

to vacate his October 3, 2018 order. In the order, the respondent ordered that the deposition of relator be video recorded.

Relator also has filed a motion asking this court to stay the October 3, 2018 order. *See* Tex. R. App. P. 52.10.

With certain exceptions not applicable in this proceeding, 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 at law, such as an appeal. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding). Relator has not shown that the trial court clearly abused its discretion. We therefore deny relator’s petition for writ of mandamus and motion for stay.

PER CURIAM

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