

**Petition for Writ of Mandamus Denied and Memorandum Opinion filed
November 1, 2019.**



In The

Fourteenth Court of Appeals

NO. 14-19-00862-CV

IN RE PHILIP LEGGETT, M.D., Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
157th District Court
Harris County, Texas
Trial Court Cause No. 2015-46430**

MEMORANDUM OPINION

On October 30, 2019, relator Philip Leggett, M.D. filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (Supp.); *see also* Tex. R. App. P. 52. In the petition, relator asks this court to compel the Honorable Tanya Garrison, presiding judge of the 157th District Court of Harris County, to vacate her

October 25, 2019 order denying relator's motion for leave to designate a responsible third party under Civil Practice and Remedies Code chapter 33.

Relator has also filed a motion for temporary relief, asking our court to stay the trial set for November 4, 2019 pending our decision on the petition. *See* Tex. R. App. Proc. 52.10.

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 the relator has no adequate remedy at law, such as an appeal. *In re Garza*, 544 S.W.3d 836, 840 (Tex. 2018) (orig. proceeding) (per curiam); *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding).

Because relator has not shown he is entitled to mandamus relief, we deny his petition for writ of mandamus and motion for temporary relief.

PER CURIAM

Panel consists of Justices Christopher, Spain, and Poissant.