

**Petition for Writ of Mandamus Denied and Memorandum Majority and Dissenting Opinions filed July 15, 2021.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-21-00154-CV**

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**IN RE DOJO BAY HOUSE, LLC, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
151st District Court  
Harris County, Texas  
Trial Court Cause No. 2019-60692**

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**MEMORANDUM MAJORITY OPINION**

On March 23, 2021, relator, Dojo Bay House, L.L.C., filed a petition for writ of mandamus in this Court. *See* Tex. Gov't Code Ann. § 22.221; *see also* Tex. R. App. P. 52. In the petition, relator asks this Court to compel the Honorable Mike Engelhart, presiding judge of the 151st District Court of Harris County, to set aside its order granting the motion to strike relator's amended petition filed by real

parties in interest Hoover Slovacek, L.L.P. and Patrick Drake or, alternatively, to set aside its order denying relator's motion to consolidate.

Relator has not established that it is entitled to mandamus relief. Any issue with the record did not prevent our determination that relator is not entitled to mandamus relief. There is no need for relator to file a new petition. Accordingly, we deny relator's petition for writ of mandamus.

/s/ Tracy Christopher  
Chief Justice

Panel consists of Chief Justice Christopher and Justices Spain and Wilson. (Spain, J., dissenting).