

Petition for Writ of Mandamus Denied and Memorandum Majority and Dissenting Opinions filed October 21, 2022.



In The

Fourteenth Court of Appeals

NO. 14-22-00753-CV

IN RE PEARLAND URBAN AIR, LLC, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
270th District Court
Harris County, Texas
Trial Court Cause No. 2022-17046**

MEMORANDUM MAJORITY OPINION

On October 19, 2022, relator Pearland Urban Air, LLC 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 Dedra Davis, presiding judge of the 270th District Court of Harris County, to vacate the trial court's September 29, 2022 order denying relator's motion to

compel arbitration and dismiss proceedings, or in the alternative to stay proceedings.

Relator has not established that it is entitled to mandamus relief. Specifically, relator has not shown that it lacks an adequate remedy by appeal. *See* Tex. Civ. Prac. & Rem. Code Ann. § 51.016 (allowing appeals under the same circumstances that 9 U.S.C. § 16 would permit an appeal from a federal district court’s order); 9 U.S.C. § 16(a)(1)(C) (“An appeal may be taken from . . . an order . . . denying an application . . . to compel arbitration . . .”).

Accordingly, we deny relator’s petition for writ of mandamus.

/s/ Margaret “Meg” Poissant
Justice

Panel consists of Justices Spain, Poissant, and Wilson (Spain, J., dissenting).