

*Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio*



MEMORANDUM OPINION

No. 04-10-00601-CV

IN RE Carrie Sue MITCHELL

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Karen Angelini, Justice
Santee Bryan Marion, Justice
Marialyn Barnard, Justice

Delivered and Filed: August 25, 2010

PETITION FOR WRIT OF MANDAMUS DENIED

On August 19, 2010, relator filed a petition for writ of mandamus and a motion for emergency stay. The court has considered relator's petition for writ of mandamus and is of the opinion that relator is not entitled to the relief sought. Accordingly, the petition for writ of mandamus and the motion for emergency stay are DENIED. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM

¹ This proceeding arises out of Cause No. 2010-CI-12563, styled *Daryl A. Mitchell v. Carrie S. Mitchell*, pending in the 166th Judicial District Court, Bexar County, Texas, the Honorable Martha Tanner presiding. However, the order complained of was signed by the Honorable Larry Noll, presiding judge of the 408th Judicial District Court.