

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



MEMORANDUM OPINION

No. 04-11-00511-CV

IN RE BP AMERICA PRODUCTION COMPANY

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Karen Angelini, Justice
Phylis J. Speedlin, Justice
Rebecca Simmons, Justice

Delivered and Filed: August 17, 2011

PETITION FOR WRIT OF MANDAMUS DENIED

On July 20, 2011, relator filed a petition for writ of mandamus. Then, on July 22, 2011, the trial court entered a final judgment in the case, and August 1, 2011 relator filed a notice of appeal. This court has determined that relator has an adequate remedy by appeal. *See In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135-36 (Tex. 2004) (orig. proceeding) (holding that to be entitled to mandamus relief relator must establish it lacks an adequate remedy by appeal). Therefore, the petition for writ of mandamus is DENIED. TEX. R. APP. P. 52.8(a).

PER CURIAM

¹ This proceeding arises out of Cause No. 2010-CVF-000798-D1, styled *BP America Production Co. v. Carlos M. Zaffirini, Sr., et al.*, pending in the 49th Judicial District Court, Webb County, Texas, the Honorable Jose A. Lopez presiding.