

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



MEMORANDUM OPINION

No. 04-11-00708-CV

IN RE STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Karen Angelini, Justice
Phylis Speedlin, Justice
Marialyn Barnard, Justice

Delivered and Filed: October 12, 2011

PETITION FOR WRIT OF MANDAMUS DENIED

On September 26, 2011, relator filed a petition for writ of mandamus, asking us to review the trial court's reasons for granting a new trial. However, we recently held that such mandamus review is not available. *See In re Camp Mystic, Inc.*, No. 04-10-00766-CV (Tex. App.—San Antonio Oct. 5, 2011, orig. proceeding) (mem. op.), *available at* <http://www.4thcoa.courts.state.tx.us/opinions/docket.asp?FullDate=20111005>. Accordingly, the petition for writ of mandamus is DENIED. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM

¹ This proceeding arises out of Cause No. 2010-CI-00042, styled *Sioban Leszczynski, Individually and Personal Representative of the Estate of Avis Kilbride, et al. v. State Farm Mutual Automobile Insurance Company*, in the 37th Judicial District Court, Bexar County, Texas, the Honorable David A. Berchelmann presiding. However, the order complained of was signed by the Honorable Peter A. Sakai, presiding judge of the 225th Judicial District Court, Bexar County, Texas.