

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



**MEMORANDUM OPINION**

No. 04-12-00122-CV

**IN RE THE SMILE CENTER, P.A., SMILE CENTER DENTAL, P.A., Stephen SIMPTON, D.D.S., and Song H. HONG, D.D.S.**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Catherine Stone, Chief Justice  
Rebecca Simmons, Justice  
Marialyn Barnard, Justice

Delivered and Filed: March 7, 2012

PETITION FOR WRIT OF MANDAMUS DENIED

On February 24, 2012, 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

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<sup>1</sup> This proceeding arises out of Cause No. 2011-CV-18034, styled *Teresa Alvarez and Nazario Alvarez, As Next Friends of David Alvarez, A Minor, et al. v. The Smile Center, P.A.*, pending in the 131st Judicial District Court, Bexar County, Texas, the Honorable John D. Gabriel presiding. However, the order complained of was signed by the Honorable Richard Price, presiding judge of the 285th Judicial District Court, Bexar County, Texas.