



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-12-00795-CV

IN RE SAXON MORTGAGE SERVICES, INC.

Original Mandamus Proceeding¹

PER CURIAM

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

Delivered and Filed: December 5, 2012

PETITION FOR WRIT OF MANDAMUS DENIED

On November 27, 2012, relator filed a petition for writ of mandamus, complaining the trial court has failed to rule on relator's motion to compel arbitration. However, mandamus will issue only to correct a clear abuse of discretion for which the relator has no adequate remedy at law. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135 (Tex. 2004) (orig. proceeding). Based on the record before us, we do not find the trial court has abused its discretion at this time. 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. DC-12-30, styled *Roberto Rocha and Gladys G. Rocha v. Saxon Mortgage Services, Inc.*, pending in the 229th Judicial District Court, Starr County, Texas, the Honorable Ana Lisa Garza presiding.