



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-15-00442-CV

IN RE Jose “Joe” HINOJOSA

Original Proceeding¹

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Luz Elena D. Chapa, Justice
Jason Pulliam, Justice

Delivered and Filed: July 22, 2015

PETITION FOR WRIT OF MANDAMUS AND WRIT OF PROHIBITION DENIED

On July 17, 2015, relator Jose “Joe” Hinojosa filed a petition for writs of mandamus and prohibition and a motion requesting emergency relief with respect to his placement on a promotion eligibility list and the deadline for filling a vacant investigator position within the police department in Laredo, Texas. Relator seeks an order from this court directing the trial court to vacate its July 6, 2015 order granting the defendants’ motion for new trial and awarding final judgment in favor of the defendants as a matter of law based on the parties’ stipulated facts. The court has considered relator’s petition and is of the opinion that relator is not entitled to the relief sought. *See, e.g., In re Procesos Especializados en Metal, S.A. de C.V.*, No. 04-14-00543-CV,

¹ This proceeding arises out of Cause No. 2014-CVZ-000338 D3, styled *Jose “Joe” Hinojosa v. Firefighters and Police Officers’ Civil Service Commission of the City of Laredo, Texas; Irma Mireles, Vidal Cantu Jr., Jesus Torres and Luis Dovalina, Individually*, pending in the 341st Judicial District Court, Webb County, Texas, the Honorable Rebecca Ramirez Palomo presiding.

2014 WL 4347724, at *2-3 (Tex. App.—San Antonio Sept. 3, 2014, orig. proceeding) (mandamus review of orders granting new trial is only available in “exceptional circumstances” where trial court sets aside jury verdict). Accordingly, the petition for writs of mandamus and prohibition and the motion for emergency relief are denied. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM