



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-21-00046-CV

IN RE Brad LARSEN, RentWerx LLC d/b/a Larsen Properties, and Leah Larsen,
Relator(s)

Original Mandamus Proceeding¹

**OPINION ON REAL PARTIES IN INTEREST'S MOTION FOR EN BANC
RECONSIDERATION**

Opinion by: Patricia O. Alvarez, Justice

Sitting en banc: Rebeca C. Martinez, Chief Justice
Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice
Irene Rios, Justice
Beth Watkins, Justice
Liza A. Rodriguez, Justice
Lori I. Valenzuela, Justice

Delivered and Filed: October 6, 2021

**MOTION FOR EN BANC RECONSIDERATION GRANTED; PETITION FOR WRIT OF
MANDAMUS DENIED**

On May 5, 2021, a panel from this court issued an opinion and order conditionally granting Relators' petition for writ of mandamus. Real Parties in Interest timely filed a motion for rehearing, which the panel denied on June 9, 2021. On June 24, 2021, Real Parties in Interest timely filed a motion for en banc reconsideration.

¹ This proceeding arises out of Cause No. 2018-CI-10309, styled *Stephen D. Schumacher and Shannon Schumacher v. Brad Larsen, Individually; RentWerx LLC d/b/a Larsen Properties; and Leah Larsen*, pending in the 166th Judicial District Court, Bexar County, Texas, the Honorable John D. Gabriel, Jr. presiding.

The en banc court, having considered the mandamus record, the panel's May 5, 2021 opinion, the en banc motion, response, and reply, concludes Relators failed to show that the trial court abused its discretion. Thus, Relators are not entitled to the relief sought.

We grant the Real Parties in Interest's motion, withdraw the panel's May 5, 2021 opinion and order, substitute this opinion and order in their stead, and deny Relators' petition for writ of mandamus.

Patricia O. Alvarez, Justice