



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-21-00076-CV

IN RE Margaret Faye **GUIDRY**, Relator

Original Proceeding¹

PER CURIAM

Sitting: Patricia O. Alvarez, Justice
Irene Rios, Justice
Liza A. Rodriguez, Justice

Delivered and Filed: March 17, 2021

PETITION FOR WRIT OF MANDAMUS DENIED

Relator has filed a petition for writ of mandamus and alternative motion for an emergency stay pending the resolution of her divorce appeal. We may issue writs of mandamus when “agreeable to the principles of law regulating those writs.” TEX. GOV’T CODE § 22.221(b). For mandamus, a relator has the burden to file a petition and record showing “the trial court abused its discretion and that no adequate appellate remedy exists.” *In re H.E.B. Grocery Co., L.P.*, 492 S.W.3d 300, 302 (Tex. 2016) (orig. proceeding) (per curiam). Having reviewed the petition and documents included in the appendix, we conclude relator has not satisfied this burden. Accordingly, we deny the petition and motion without prejudice to seeking relief in the divorce appeal. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM

¹This proceeding arises out of Cause No. 2018-05589, styled *In the Marriage of Guidry*, pending in the 452nd District Court, Menard County, Texas, the Honorable James L. Rex presiding.