



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-21-00389-CV

IN RE AUBURN CREEK LIMITED PARTERSHIP, The Lynd Company, Lynd Family
Limited Partnership, and Forty Four Eleven, LLC, Relator(s)

Original Proceeding¹

PER CURIAM

Sitting: Rebeca C. Martinez, Chief Justice
Irene Rios, Justice
Beth Watkins, Justice

Delivered and Filed: October 6, 2021

PETITION FOR WRIT OF MANDAMUS DENIED

On September 15, 2021, relators filed a petition for writ of mandamus and a motion for stay of the underlying proceedings pending final resolution of the petition for writ of mandamus. The real parties in interest filed a response to which relators replied. Mandamus is an extraordinary remedy, available only when the relator can show (1) the trial court clearly abused its discretion or violated a duty imposed by law; and (2) there is no adequate remedy by way of appeal. *Walker v. Packer*, 827 S.W.2d 833, 839–40 (Tex. 1992) (orig. proceeding). After considering the petition and the record, this court concludes relators did not show they are entitled to the relief sought.

¹ This proceeding arises out of Cause No. 2017-CI-17349, styled *Hang Pau, et. al v. Auburn Creek Limited Partnership*, pending in the 73rd Judicial District Court, Bexar County, Texas. The orders at issue in this original proceeding were signed by the Honorable Aaron S. Hass, Presiding Judge of the 285th Judicial District Court, Bexar County, Texas and the Honorable Cynthia Marie Chapa, Presiding Judge of the 288th Judicial District Court, Bexar County, Texas.

Accordingly, the petition for writ of mandamus is denied. *See* TEX. R. APP. P. 52.8(a). Relators' motion for temporary relief is denied as moot.

PER CURIAM