



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-22-00571-CV

**IN RE BUCHHEIT TRUCKING SERVICE, INC.**

Original Proceeding<sup>1</sup>

PER CURIAM

Sitting: Luz Elena D. Chapa, Justice  
Irene Rios, Justice  
Liza A. Rodriguez, Justice

Delivered and Filed: October 5, 2022

PETITION FOR WRIT OF MANDAMUS DENIED

On September 2, 2022, relator filed a petition for writ of mandamus. On September 6, 2022, relator filed an emergency motion for stay pending final resolution of the petition for writ of mandamus. On September 13, 2022, we granted relator's emergency motion and stayed the trial court's order until September 30, 2022. We also requested a response from the respondent and real parties in interest. On September 20, 2022, the real parties in interest filed a response to the petition. On September 26, 2022, relator filed a reply.

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<sup>1</sup>This proceeding arises out of Cause No. 2019CVA002071-D3, styled *Rosario Camarillo-Cabello, Individually and as Next Friend of Miguel Angel Cabello v. Buchheit Trucking Service, Inc. Michael Scott French, and the Estate of Jesus Tapia, Jr.*, consolidated with, *Jesus Tapia, III, Individually and as Wrongful Death Beneficiary and Representative of the Estate of Jesus Tapia, Jr. v. Buchheit Trucking Service, Inc., Buchheit Logistics, Inc., Scott Michael French, and Matt Miller*, pending in the 341st Judicial District Court, Webb County, Texas, the Honorable Rebecca Ramirez Palomo presiding.

After considering the petition, the record, and the responses filed, we conclude relator is not entitled to the relief sought. Accordingly, the petition for writ of mandamus is denied. *See* TEX. R. APP. P. 52.8(a). The stay imposed on September 13, 2022 is lifted.

PER CURIAM