

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00085-CV

IN RE CENTRAL MUTUAL INSURANCE COMPANY LLOYDS

Original Proceeding

MEMORANDUM OPINION

Central Mutual Insurance Company Lloyds petitioned this Court for a writ of mandamus to compel the trial court to vacate a partial summary judgment granted in favor of the real party in interest, Willard Hall, and to find in favor of the relator in a coverage dispute. “[M]andamus is generally unavailable when a trial court denies summary judgment, no matter how meritorious the motion.” *In re McAllen Med. Ctr., Inc.*, 275 S.W.3d 458, 465 (Tex. 2008). Mandamus will issue only to correct a clear abuse of discretion when that abuse cannot be remedied by appeal. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135-36 (Tex. 2004); *Walker v. Packer*, 827 S.W.2d 833, 839 (Tex. 1992). After reviewing the mandamus record and petition, we conclude that

the relator has not demonstrated that there is no adequate appellate remedy. Accordingly, we deny the petition for writ of mandamus.

PETITION DENIED.

PER CURIAM

Opinion Delivered March 17, 2011

Before Gaultney, Kreger, and Horton, JJ.