

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-11-00279-CV**

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**IN RE PABLO ÁNGEL RENDÓN OJEDA**

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**Original Proceeding**

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**MEMORANDUM OPINION**

Pablo Ángel Rendón Ojeda filed a petition for writ of mandamus and a motion for temporary relief. Relator seeks to compel the trial court to vacate that part of an order of March 21, 2011, which denied relator's petition for the return of a child, and an order of May 12, 2011, which set a motion for reconsideration of the petition for return of a child for a hearing on June 6, 2011. We granted relator's request to take judicial notice of the record of a previous mandamus proceeding. *See In re Ojeda*, No. 09-10-00446-CV, 2010 WL 4264402 (Tex. App.—Beaumont Oct. 28, 2010, orig. proceeding) (mem. op.).

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). After reviewing the mandamus record and petition, we conclude that the

relator has failed to establish an abuse of discretion by the trial court. *See Id.*  
Accordingly, we deny the petition for writ of mandamus and request for temporary relief.

PETITION DENIED.

PER CURIAM

Opinion Delivered June 2, 2011  
Before McKeithen, C.J., Kreger and Horton, JJ.