

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-15-00069-CV

IN RE MARK HARDING

Original Proceeding

MEMORANDUM OPINION

Mark Harding filed a petition for writ of mandamus seeking relief from pre-trial rulings made by the judge presiding over a case filed in the 253rd District Court and assigned to the County Court at Law of Liberty County, Texas. In three issues, Harding contends the trial court abused its discretion (1) by denying a motion to compel the real party in interest, Bradley A. Butcher, to respond to Harding's request for disclosure, (2) by granting a motion for continuance, and (3) by allowing Butcher to file an amended pleading that changed the case's discovery level. Harding asks this Court to compel the trial court to strike Butcher's objections to the request for disclosure, strike the plaintiff's first amended petition,

and immediately set the case for trial. On March 10, 2015, the visiting judge assigned to hear the case signed a scheduling order establishing deadlines for pleading and discovery and setting the case for trial on November 2, 2015.

After reviewing the mandamus petition and record, we conclude that the relator failed to establish an abuse of discretion by the trial court for which an appeal would not provide an adequate remedy. *See In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135-36 (Tex. 2004). Accordingly, we deny the petition for writ of mandamus. *See* Tex. R. App. P. 52.8(a).

PETITION DENIED.

PER CURIAM

Submitted on March 25, 2015
Opinion Delivered March 26, 2015

Before McKeithen, C.J., Kreger and Horton, JJ.