

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

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**NO. 09-19-00117-CV**

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**IN RE JASON LEE WHITNEY**

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**Original Proceeding**  
**279th District Court of Jefferson County, Texas**  
**Trial Cause No. F-227,594**

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**MEMORANDUM OPINION**

Jason Lee Whitney filed a petition for a writ of mandamus and a motion for temporary relief. *See* Tex. R. App. P. 52. Relator complains that the trial court granted a traditional motion for partial summary judgment on claims relator brought against the real party in interest, Jessica Garth Whitney, failed to compel depositions, and denied a motion for continuance of the trial. After reviewing the petition and the mandamus record, we conclude that the relator has not established that he has no adequate remedy by appeal. *See In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124,

135-36 (Tex. 2004) (orig. proceeding). Accordingly, we deny the petition for a writ of mandamus and the motion for temporary relief. *See* Tex. R. App. P. 52.8(a).

PETITION DENIED.

PER CURIAM

Submitted on April 16, 2019  
Opinion Delivered April 16, 2019

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