

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-20-00176-CV

IN RE MARIA BANASIAK-SOTO AND ADAM SYLWESTER BANASIAK

Original Proceeding
418th District Court of Montgomery County, Texas
Trial Cause No. 19-02-02638-CV

MEMORANDUM OPINION

Maria Banasiak-Soto and Adam Sylwester Banasiak, the petitioners in a private termination and adoption case, filed a petition for a writ of mandamus to compel the trial court to grant their motion to conduct the trial remotely through videoconferencing. The case is currently set for trial in December 2020.

To be entitled to mandamus relief, Relators must establish that the trial court clearly abused its discretion and they lack an adequate remedy by appeal. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 136 (Tex. 2004) (orig. proceeding). After reviewing the amended petition and motion for temporary relief, we conclude

Relators have failed to establish a clear abuse of discretion by the trial court. Accordingly, we deny the petition for a writ of mandamus. *See* Tex. R. App. P. 52.8. Relators' motion for temporary relief is denied as moot.

PETITION DENIED.

PER CURIAM

Submitted on July 22, 2020
Opinion Delivered July 23, 2020

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