



**NUMBER 13-08-00396-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN RE COASTAL KING, LTD.**

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**On Petition for Writ of Mandamus.**

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**MEMORANDUM OPINION**

**Before Justices Rodriguez, Garza, and Vela  
Per Curiam Memorandum Opinion**

Relator, Coastal King, Ltd., filed a petition for writ of mandamus in the above cause arguing that the trial court abused its discretion in entering an order outside of its plenary jurisdiction. This Court requested and received a response from Benigno Cerda, Jr, and Francisco Cerda, the real parties in interest, who “do not object to the granting of Relator’s petition.”

The Court, having examined and fully considered the petition for writ of mandamus and response thereto, is of the opinion that relator has shown itself entitled to the relief

sought. Without hearing oral argument, we conditionally grant mandamus relief and direct the trial court to vacate its May 20, 2008 order granting Coastal King's Motion for Summary and Entering Death Penalty Sanctions. See TEX. R. APP. P. 52.8(c). We are confident the trial court will promptly comply; our writ will issue only if it does not.

PER CURIAM

Memorandum Opinion delivered and  
filed this 8th day of July, 2008.