



NUMBER 13-08-00423-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE JOSE GUERRA VELASCO AND
ENTRETENIMIENTO MATAMOROS, S.A. DE C.V.

On Petition for Writ of Mandamus

MEMORANDUM OPINION

Before Chief Justice Valdez and Justices Yañez and Benavides
Memorandum Opinion Per Curiam¹

Relators, Jose Guerra Velasco and Entretenimiento Matamoros, S.A. de C.V., filed a petition for writ of mandamus and an emergency motion for temporary relief in the above cause on July 3, 2008. The Court granted the emergency motion, stayed the underlying proceedings, and requested a response from the real party in interest, Henley Entertainment, Inc.

¹ See TEX. R. APP. P. 52.8(d) ("When denying relief, the court may hand down an opinion but is not required to do so."); TEX. R. APP. P. 47.4 (distinguishing opinions and memorandum opinions).

Henley Entertainment, Inc., filed a motion for extension of time to file its response, which we herein GRANT, and accordingly, such response was duly filed on July 15, 2008.

The Court, having examined and fully considered the petition for writ of mandamus and response thereto, is of the opinion that relators have not shown themselves entitled to the relief sought. See *In re Pirelli Tire, L.L.C.*, 247 S.W.3d 670, 675 (Tex. 2007) (orig. proceeding); see also *Gulf Oil Corp. v. Gilbert*, 330 U.S. 501, 508 (1947). Accordingly, the stay previously imposed by this Court is LIFTED. See TEX. R. APP. P. 52.10(b) ("Unless vacated or modified, an order granting temporary relief is effective until the case is finally decided."). The petition for writ of mandamus is DENIED. See *id.* 52.8(a).

PER CURIAM

Memorandum Opinion delivered and
filed this the 4th day of August, 2008.