



NUMBER 13-08-00460-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE CANDACE TONKENS, DEPENDENT ADMINISTRATOR
OF THE ESTATE OF AMY ANN CONKEY, DECEASED

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

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

Relator, Candace Tonkens, Dependent Administrator of the Estate of Amy Ann Conkey, Deceased, filed a petition for writ of mandamus in the above cause on July 31, 2008. On August 4, 2008, the Court entered an order requesting a response to be filed by the real party in interest, Duane Conkey in his Capacity as Administrator of the Estate of Raymond Conkey, Deceased. Subsequently, the real party in interest requested and received an extension of time to file his response, and such response was duly filed on

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).

August 29, 2008. On September 10, 2008, relator filed a reply to this response.

The Court, having examined and fully considered the petition for writ of mandamus, the response, and the reply thereto, is of the opinion that relator has not shown herself entitled to the relief sought. Accordingly, the petition for writ of mandamus is DENIED. See TEX. R. APP. P. 52.8(a).

PER CURIAM

Memorandum Opinion delivered and filed this 30th day of September, 2008.