



NUMBER 13-08-496-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE: SOPHIA M. ORTIZ

**On Petition for Writ of Mandamus and
Motion for Emergency Temporary Relief**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Yañez and Benavides
Memorandum Opinion Per Curiam**

On September 4, 2008, relator, Sophia M. Ortiz, filed a petition for writ of mandamus in which she requests this Court to direct the Respondent, the Honorable Benjamin Euresti, presiding judge of the 107th District Court in Cameron County, Texas, to vacate his August 14, 2008 order setting aside his own temporary orders issued earlier in the day on August 14. Relator also filed a Motion for Emergency Relief, in which she requests this Court to set aside the August 14, 2008 order of which she complains.

The Court, having considered the petition for writ of mandamus and documents on file, is of the opinion that the petition for writ of mandamus should be denied.

Relator's petition for writ of mandamus is hereby DENIED. Relator's Motion for Emergency Temporary Relief is also DENIED.

PER CURIAM

Justice Benavides, dissenting without separate opinion, would have requested a response to the petition for writ of mandamus. See TEX.R.APP.P. 52.8(b)(1).

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