



NUMBER 13-08-00667-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE: MARTIN CHARO

On Petition for Writ of Mandamus

MEMORANDUM OPINION

**Before Justices Yañez, Garza, and Vela
Per Curiam Memorandum Opinion¹**

Relator, Martin Charo, filed a petition for writ of mandamus and an emergency motion for temporary stay in the above cause on November 20, 2008. That same day, the Court granted the motion for emergency stay and stayed the trial court's order of November 14, 2008, ordering the production of documents from Dr. Bruce Barbarian. The Court further requested that the real party in interest, Virgilio Coronado, by and through counsel, file a response to relator's petition for writ of mandamus, and such response was duly filed on December 1, 2008.

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).

The Court, having examined and fully considered the petition for writ of mandamus, the response, and relator's reply brief, is of the opinion that relator has not shown himself entitled to the relief sought. 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 December, 2008.