



NUMBER 13-10-00438-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE BROWNSVILLE-VALLEY REGIONAL MEDICAL CENTER, INC.

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

Before Justices Rodriguez, Benavides, and Vela
Per Curiam Memorandum Opinion¹

Relator, Brownsville-Valley Regional Medical Center, Inc., filed a petition for writ of mandamus and a motion for stay in the above cause on August 4, 2010. On August 5, 2010, the Court entered an order granting the requested stay, in part, insofar as the trial court's order of June 23, 2010, disqualifying relator's counsel, was stayed pending further review by this Court, and denying the stay, in part, insofar as the trial court's order setting trial for September 27, 2010, was not stayed. The Court further requested that the real party in interest, Bangalore N. Lakshmikanth, M.D., file a response to relator's petition for

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).

writ of mandamus, and such response was duly filed on August 16, 2010. On August 19, 2010, the relator further filed a reply brief in support of its petition for writ of mandamus. On August 24, 2010, the real party in interest filed a supplemental response to the petition for writ of mandamus.

The Court, having examined and fully considered the petition for writ of mandamus, the response, the reply thereto, and the supplemental response, is of the opinion that relator has not shown itself 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

Delivered and filed the 30th
day of August, 2010.