



NUMBER 13-11-00377-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE PLATINUM ENERGY RESOURCES, INC.

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Justices Benavides, Vela, and Perkes
Per Curiam Memorandum Opinion¹**

Relator, Platinum Energy Resources, Inc., filed a petition for writ of mandamus and an "Emergency Motion to Stay Case Pending Mandamus" in the above cause on June 15, 2011. The Court granted the emergency motion, ordered all trial court proceedings to be stayed, and requested that the real parties in interest, Robert L. Kovar Services LLC, Robert L. Kovar, and Kovar Mineral Partners, by and through counsel, file a response to the petition for writ of mandamus. On June 30, 2011, the

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).

real parties in interest filed their response to the petition to the petition for writ of mandamus. On July 11, 2011, relator filed a reply to the real parties' response and a supplemental appendix. *Compare* TEX. R. APP. P. 52.3(k) (delineating the required contents for the appendix to an original proceeding), *with* TEX. R. APP. P. 52.7 (delineating the required contents for the record in an original proceeding).

The Court, having examined and fully considered the petition for writ of mandamus, the response, and the reply, 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 this
18th day of July, 2011.