

NO. 12-08-00484-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***IN RE: MOSSER HILL PLLC, AND
JAMES C. MOSSER,
RELATORS***

§

§ ***ORIGINAL PROCEEDING***

§

MEMORANDUM OPINION

Relators, Mosser Hill PLLC and James Mosser, seek a writ of mandamus, complaining of the trial court's order permitting Relators to withdraw from representing Tommy's Towing & Repair, Inc., the real party in interest.¹ Specifically, Relators seek an order requiring the trial court to (1) vacate the portion of the withdrawal order requiring Relators to "provide[] [Tommy's Towing and Repair its] entire file, including all exhibits on or before 5:00PM on November 14, 2008"; (2) vacate the show cause order signed by the trial court after it determined that Relators had not delivered the file as ordered; and (3) vacate the trial court's sua sponte order setting a hearing to reconsider Relators' motion to withdraw.

We have considered the petition and conclude that Relators have not shown they are entitled to the relief requested. Accordingly, Relators' petition for writ of mandamus is ***denied***. See TEX. R. APP. P. 52.8.

BRIAN HOYLE

Justice

Opinion delivered December 23, 2008.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)

¹ The respondent is the Honorable Teresa A. Drum, Judge of the 294th Judicial District Court, Van Zandt County, Texas. The underlying proceeding is trial court cause number 07-00587, styled "Tommy's Towing & Repair, Inc. v. R.P. "Pat" Burnett."