

Denied and Opinion Filed August 27, 2021



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-21-00205-CV

IN RE YRC INC. D/B/A YRC FREIGHT, Relator

Original Proceeding from the 59th Judicial District Court
Grayson County, Texas
Trial Court Cause No. CV-16-1591

MEMORANDUM OPINION

Before Justices Osborne, Pedersen, III, and Goldstein
Opinion by Justice Osborne

In its April 1, 2021 petition for writ of mandamus, relator challenges the trial court's February 24, 2021 order denying the motion for leave to designate a responsible third party. Entitlement to mandamus relief requires relator to show that the trial court clearly abused its discretion and that he lacks an adequate appellate remedy. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding).

Based on our review of the petition, real party in interest's response, relator's reply, and the record before us, we conclude that relator has failed to demonstrate an abuse of discretion. Accordingly, we deny the petition for writ of mandamus. We also lift the stay issued by this Court's April 14, 2021 order.

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/Leslie Osborne//
LESLIE OSBORNE
JUSTICE