

COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS,
CORPUS CHRISTI–EDINBURG

In re N J Malin & Associates LLC d/b/a Malin Integrated Solutions
and Design

In re N J Malin · No. 13-25-00678-CV · Decided December 29, 2025

SUMMARY

The Thirteenth Court of Appeals of Texas considered a petition for writ of mandamus seeking to compel the trial court to vacate orders requiring discovery concerning the relator’s net worth. After the parties reached an agreement resolving the issue, the court granted the relator’s unopposed motion to dismiss, lifted the stay, dismissed the original proceeding, and ordered the parties to bear their own costs.

CASE DETAILS

COURT	Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg
WRITING FOR THE COURT	Justice Clarissa Silva; Justice Cron; Justice Fonseca
JURISDICTION	Texas Court of Appeals, Thirteenth District, Corpus Christi–Edinburg
DECIDED	December 29, 2025
DOCKET	13-25-00678-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original proceeding on a petition for writ of mandamus seeking to compel the trial court to vacate orders requiring production of discovery concerning relator’s net worth.
PRECEDENTIAL VALUE	published memorandum opinion
PARTIES	N J Malin & Associates LLC d/b/a Malin Integrated Solutions and Design v. State of Texas

TOPICS

- discovery dispute
- appellate procedure
- civil procedure
- commercial litigation

PRACTICE AREAS

- civil procedure
- appellate procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether the court should grant relator's unopposed motion to dismiss its petition for writ of mandamus after the parties reached an agreement resolving the dispute.

FACTUAL BACKGROUND

The trial court entered orders requiring N J Malin & Associates LLC to produce discovery relating to its net worth. The company sought mandamus relief to compel the trial court to vacate those orders. The parties subsequently reached an agreement resolving the discovery issue.

PROCEDURAL HISTORY

Relator filed a petition for writ of mandamus challenging trial-court discovery orders and obtained a stay. After the parties reached an agreement resolving the issue, relator filed an unopposed motion to dismiss the original proceeding. The court granted the motion, lifted the previously imposed stay, dismissed the proceeding, and ordered the parties to bear their own costs.

DISPOSITION

dismissed

CASES CITED

- In re Contract Freighters, Inc., 646 S.W.3d 810, 813 (Tex. 2022) (orig. proceeding) (per curiam)
- Heckman v. Williamson County, 369 S.W.3d 137, 162 (Tex. 2012)
- In re Kellogg Brown & Root, Inc., 166 S.W.3d 732, 737 (Tex. 2005) (orig. proceeding)

OPINION

PER CURIAM.

NUMBER 13-25-00678-CV COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS
CORPUS CHRISTI – EDINBURG IN RE N J MALIN & ASSOCIATES LLC D/B/A MALIN
INTEGRATED SOLUTIONS AND DESIGN ON PETITION FOR WRIT OF MANDAMUS
MEMORANDUM OPINION Before Justices Silva, Cron, and Fonseca Memorandum Opinion by
Justice Silva¹ Relator N J Malin & Associates LLC d/b/a Malin Integrated Solutions and Design
filed a petition for writ of mandamus seeking to compel the trial court to vacate its orders
requiring relator to produce discovery pertaining to its net worth.

However, relator has now filed an unopposed motion to dismiss its petition for writ of mandamus because 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. When granting relief, the court must hand down an opinion as in any other case.”); id. R. 47.1 (“The court of appeals must hand down a written opinion that is as brief as practicable but that addresses every issue raised and necessary to final disposition of the

appeal.”); *id.* R. 47.4 (explaining the distinction between opinions and memorandum opinions). parties have reached an agreement that resolves the issue before the Court.

Relator thus requests that we dismiss this original proceeding with the parties bearing their own costs. The Court, having examined and fully considered relator’s unopposed motion to dismiss, is of the opinion that it should be granted. See *In re Contract Freighters, Inc.*, 646 S.W.3d 810, 813 (Tex. 2022) (orig. proceeding) (per curiam); *Heckman v. Williamson County*, 369 S.W.3d 137, 162 (Tex.

2012); *In re Kellogg Brown & Root, Inc.*, 166 S.W.3d 732, 737 (Tex. 2005) (orig. proceeding). Accordingly, we lift the stay previously imposed in this case. See TEX. R. APP. P. 52.10. We grant relator’s unopposed motion to dismiss, and we dismiss this original proceeding.

The parties shall bear their own costs. CLARISSA SILVA Justice Delivered and filed on the 29th day of December, 2025. 2