

FOURTEENTH COURT OF APPEALS OF TEXAS

In re Michaels Stores, Inc. d/b/a Michaels Art & Crafts #2719

In re Michaels Stores, Inc. d/b/a Michaels Art & Crafts #2719 · No. No. 14-21-00320-CV · Decided June 11,
2021

OPINION

in Re Michaels Stores, Inc. D/B/A Michaels Art & Crafts 2719

PER CURIAM.

Motion Granted and Order filed June 11, 2021. In The Fourteenth Court of Appeals

NO. 14-21-00320-CV

IN RE MICHAELS STORES, INC. D/BA MICHAELS ART & CRAFTS

#2719, Relator

ORIGINAL PROCEEDING

WRIT OF MANDAMUS

157th District Court Harris County, Texas Trial Court Cause No. 2019-23106

ORDER

On June 11, 2021, relator In re Michaels Stores, Inc. d/b/a Michaels Art & Crafts #2719 filed a petition for writ of mandamus and an emergency motion for temporary relief in this Court. See Tex. Gov't Code Ann. § 22.221; see also Tex. R. App. P. 52. In the petition, relator asks this Court to compel the Honorable Tanya Garrison, presiding judge of the 157th District Court of Harris County, to vacate her Findings and Order on Plaintiff's Motion for Sanctions dated June 8, 2021, in trial court cause number 2019-23106, styled Vaculik v. Micahel's Stores, Inc. Relator claims the trial court abused its discretion in granting spoliation sanctions. In its emergency motion for temporary relief, relator seeks an order staying the commencement of trial set for June 14, 2021, while the merits of relator's petition are under consideration by this Court. It appears from the facts stated in the petition that relator's request for relief requires further consideration and that relator will be prejudiced unless immediate temporary relief is granted. See Tex. R. App. p. 52.8(b), 52.10. We therefore ORDER that the proceedings, including the commencement of trial set for June 14, 2021, of the court below be stayed in trial court cause number 2019-23106, styled Vaculik v. Michael's Stores, Inc. Such proceedings are stayed until final decision by this Court of relator's petition for writ of mandamus, or until further orders of this Court. The Court requests a response from the real parties in interest to the petition for writ of mandamus on or before 4:00 p.m., on June 16, 2021.

PER CURIAM

Order filed June 11, 2021. 2 Panel consists of Justices Wise, Jewell, and Spain. (J. Spain dissents to the granting of the stay.). 3

