

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

In re AGON4, LLC and Texas Premium Beverage Corp.

No. 04-26-00164-CV · No. No. 04-26-00164-CV · Decided April 15, 2026

SUMMARY

The Fourth Court of Appeals of San Antonio denied AGON4, LLC and Texas Premium Beverage Corp.'s petition for a writ of mandamus. The court also denied their motion for temporary relief as moot, concluding that the relators had not established entitlement to the requested relief under Texas Rule of Appellate Procedure 52.8(a).

CASE DETAILS

COURT	Fourth Court of Appeals of Texas, San Antonio
WRITING FOR THE COURT	Per Curiam; Rebeca C. Martinez, Chief Justice; Irene Rios, Justice; Adrian A. Spears II, Justice
JURISDICTION	Fourth Court of Appeals, San Antonio, Texas
DECIDED	April 15, 2026
DOCKET	No. 04-26-00164-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original proceeding in which relators petitioned for a writ of mandamus and sought temporary relief staying the underlying proceedings.
PRECEDENTIAL VALUE	published
PARTIES	AGON4, LLC, Texas Premium Beverage Corp. v. The State of Texas

TOPICS

- appellate procedure
- remedies
- civil procedure
- commercial litigation

PRACTICE AREAS

- appellate procedure
- civil procedure
- remedies
- commercial litigation

QUESTIONS PRESENTED

- Whether relators established that they were entitled to a writ of mandamus.

2. Whether relators were entitled to temporary relief staying the underlying proceedings while the mandamus petition was resolved.

HOLDINGS

1. Relators did not establish that they were entitled to the requested mandamus relief; therefore, the petition for writ of mandamus was denied.
2. The motion for temporary relief was denied as moot after the court denied the mandamus petition.

FACTUAL BACKGROUND

The proceeding arose from an underlying case styled San Antonio Metropolitan Transit Authority c/b/a Via Metropolitan Transit v. AGON4, LLC, pending in the Probate Court No. 2 of Bexar County, Texas. AGON4, LLC and Texas Premium Beverage Corp. sought mandamus relief and a stay of those underlying proceedings.

PROCEDURAL HISTORY

Relators filed a petition for writ of mandamus and accompanying record on March 2, 2026. They filed a motion to stay the underlying proceedings on March 3, 2026. The court denied the mandamus petition and denied the motion for temporary relief as moot.

DISPOSITION

writ_denied

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas MEMORANDUM OPINION No. 04-26-00164-CV IN RE AGON4, LLC and Texas Premium Beverage Corp. Original Proceeding 1 PER CURIAM Sitting: Rebeca C. Martinez, Chief Justice Irene Rios, Justice Adrian A. Spears II, Justice Delivered and Filed: April 15, 2026 PETITION FOR WRIT OF MANDAMUS DENIED; MOTION FOR TEMPORARY RELIEF DENIED AS MOOT Relators, AGON4, LLC and Texas Premium Beverage Corp., filed their petition for writ of mandamus and accompanying record on March 2, 2026.

On March 3, 2026, relators filed a motion to stay the underlying proceedings pending resolution of the petition for writ of mandamus. Having considered the petition, motion, and accompanying record, this court has determined that relators have not established that they are entitled to the relief requested. See TEX. R. APP. P. 52.8(a).

The petition for writ of mandamus is denied. The motion for temporary relief is denied as moot. PER CURIAM 1 This proceeding arises out of Cause No. 2025-ED2-00018, styled San Antonio

Metropolitan Transit Authority c/b/a Via Metropolitan Transit v. AGON4, LLC, pending in the Probate Court No. 2, Bexar County, Texas, the Honorable Veronica Vasquez presiding.

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