

COURT OF APPEALS OF TEXAS, ELEVENTH DISTRICT

In re Dancar Energy Construction, LLC

In re Dancar Energy Construction · No. 11-21-00050-CV · Decided April 7, 2021

SUMMARY

The Texas Eleventh Court of Appeals granted Dancar Energy Construction, LLC's motion for a temporary stay of a trial court order requiring production of four documents deemed nonprivileged. The court also authorized Dancar to file the documents under seal for in camera review in the pending mandamus proceeding.

OPINION

PER CURIAM.

Order filed April 7, 2021 In The Eleventh Court of Appeals _____ No. 11-21-00050-CV _____ IN RE DANCAR ENERGY CONSTRUCTION, LLC Original Mandamus Proceeding ORDER Relator, Dancar Energy Construction, LLC, has filed a petition for writ of mandamus in which it requests that we direct the Honorable Robin Darr, sitting by assignment in the 385th District Court of Midland County, Texas, (1) to vacate that part of a December 21, 2020 order in Cause Number CV-54482 in which she declared that four documents were not privileged and (2) to vacate and set aside a March 31, 2021 order in Cause Number CV-54482 in which she denied Relator's motion for reconsideration of the December 21, 2020 ruling and ordered Relator to produce the documents by April 7, 2021.

Relator has filed two motions in this original proceeding. In the first motion, Relator requests that this court issue a temporary stay of the March 31, 2021 order while we consider the petition for writ of mandamus.

We grant the motion and order that the March 31, 2021 order is stayed until further order of this court or final resolution of this original proceeding. In the second motion, Relator requests that this court allow Relator to file the four documents under seal for in camera review and to provide Relator with instructions for submitting the document to this court for in camera review.

We grant the motion and order that Relator may file documents numbered 453414– 453414, 455073–455073, 455118–455118, and 876725–876725 under seal. If it is not possible for Relator to file the documents under seal through the court's e-filing system, Relator may request the district clerk to file the documents under seal with this court. PER CURIAM April 7, 2021 Panel consists of: Bailey, C.J., Trotter, J., and Williams, J. 2

