

COURT OF APPEALS OF TEXAS, THIRTEENTH DISTRICT, CORPUS
CHRISTI-EDINBURG

In re Action Car Rental, L.L.C. v. The State of Texas

No. 13-26-00045-CV · No. 13-26-00045-CV · Decided February 19, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas denied Action Car Rental, L.L.C.'s petition for writ of mandamus. The relator argued that the trial court abused its discretion by denying summary judgment based on the federal Graves Amendment, but the court concluded that the relator had not met its burden and had failed to correct identified defects in its petition and record.

CASE DETAILS

COURT	Court of Appeals of Texas, Thirteenth District, Corpus Christi-Edinburg
WRITING FOR THE COURT	Jon West; Chief Justice Tijerina; Justice Peña; Justice West
JURISDICTION	Court of Appeals of Texas, Thirteenth District, Corpus Christi-Edinburg
DECIDED	February 19, 2026
DOCKET	13-26-00045-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Action Car Rental, L.L.C. petitioned for a writ of mandamus challenging the trial court's denial of its motion for summary judgment.
STANDARD OF REVIEW	Mandamus is an extraordinary and discretionary remedy. The relator must establish that the trial court clearly abused its discretion and that the relator lacks an adequate remedy on appeal; the relator bears the burden of proving both requirements.
PRECEDENTIAL VALUE	Published memorandum opinion; precedential status is stated as published in the supplied metadata.
PARTIES	Action Car Rental, L.L.C. v. The State of Texas

TOPICS

- appellate procedure
- summary judgment
- civil procedure
- remedies
- torts

PRACTICE AREAS

appellate procedure

civil procedure

remedies

torts

QUESTIONS PRESENTED

1. Whether Action Car Rental was entitled to mandamus relief based on the trial court's denial of its motion for summary judgment under the federal Graves Amendment.
2. Whether relator established the requirements for mandamus relief, including a clear abuse of discretion and the absence of an adequate remedy by appeal.

HOLDINGS

1. A relator seeking mandamus relief must prove that the trial court clearly abused its discretion and that the relator lacks an adequate remedy on appeal.
2. Action Car Rental was not entitled to mandamus relief because it failed to meet its burden, including failing to correct defects in its petition and the record after being directed to do so.

KEY QUOTATIONS

"The relator must show "that (1) the trial court clearly abused its discretion and (2) the party seeking relief lacks an adequate remedy on appeal.""

"The relator bears the burden of proving these two requirements."

FACTUAL BACKGROUND

Action Car Rental, L.L.C. was apparently sued in connection with torts allegedly committed by its lessee. It contended that the federal Graves Amendment, 49 U.S.C. § 30106(a), shielded it from liability and required the trial court to grant its motion for summary judgment. The trial court denied summary judgment, prompting the mandamus petition.

PROCEDURAL HISTORY

Relator sought mandamus relief based on the assertion that the trial court abused its discretion by denying summary judgment under the federal Graves Amendment. The court of appeals directed relator to amend its petition to correct defects in the petition and record, but relator did not do so. The court denied the petition for writ of mandamus.

DISPOSITION

writ_denied

CASES CITED

- In re Allstate Indem. Co., 622 S.W.3d 870, 883 (Tex. 2021) (orig. proceeding)
- In re Prudential Ins. Co. of Am., 148 S.W.3d 124, 138 (Tex. 2004) (orig. proceeding)

- In re Ill. Nat'l Ins., 685 S.W.3d 826, 834 (Tex. 2024) (orig. proceeding)
- Walker v. Packer, 827 S.W.2d 833, 839-40 (Tex. 1992) (orig. proceeding)
- In re H.E.B. Grocery Co., 492 S.W.3d 300, 302 (Tex. 2016) (orig. proceeding) (per curiam)

OPINION

In Re Action Car Rental, L.L.C. v. the State of Texas

PER CURIAM.

NUMBER 13-26-00045-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE ACTION CAR RENTAL, L.L.C.

ON PETITION FOR WRIT OF MANDAMUS

MEMORANDUM OPINION

Before Chief Justice Tijerina and Justices Peña and West Memorandum Opinion by Justice West

Relator Action Car Rental, L.L.C. asserts by petition for writ of mandamus that the trial court abused its discretion by denying its motion for summary judgment because "established and controlling Texas law required applying the federal Graves Amendment under 49 U.S.C. § 30106(a) to shield [r]elator from liability for its lessee's torts." See generally 49 U.S.C.A. § 30106 (governing rented or leased motor vehicle safety and responsibility). Mandamus is an extraordinary and discretionary remedy. See *In re Allstate Indem. Co.*, 622 S.W.3d 870, 883 (Tex. 2021) (orig. proceeding); *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 138 (Tex. 2004) (orig. proceeding). The relator must show "that (1) the trial court clearly abused its discretion and (2) the party seeking relief lacks an adequate remedy on appeal." *In re Ill. Nat'l Ins.*, 685 S.W.3d 826, 834 (Tex. 2024) (orig. proceeding); see *In re Prudential Ins. Co. of Am.*, 148 S.W.3d at 138; *Walker v. Packer*, 827 S.W.2d 833, 839 - 40 (Tex. 1992) (orig. proceeding). "The relator bears the burden of proving these two requirements." *In re H.E.B. Grocery Co.*, 492 S.W.3d 300, 302 (Tex. 2016) (orig. proceeding) (per curiam); *Walker*, 827 S.W.2d at 840. The Court, having examined and fully considered the petition for writ of mandamus and intervening events, is of the opinion that relator has not met its burden to obtain relief. The Court directed relator to amend its petition to correct defects in the petition and the record; however, relator did not do so. See Tex. R. App. P. 9.4(j)(5), 52.3(d, k). The Court also ordered real party in interest Maria Eneida Garcia to file a response to the petition for writ of mandamus; however, Garcia did not do so. See *id.* R. 52.2, 52.4, 52.8. We deny the petition for writ of mandamus.

JON WEST

Justice Delivered and filed on the 19th day of February, 2026.

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