

**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

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.

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/court-of-appeals-of-texas-thirteenth-district-corpus-christi-edinburg-court-of-appeals-of-texas-thir/2026/in-re-action-car-rental-l-l-c-v-the-state-of-texas-h7si39e0>