

# FOURTEENTH COURT OF APPEALS OF TEXAS

## In re Mary Riggins

In re Mary Riggins · No. 14-09-00255-CV · Decided April 30, 2009

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### OPINION

#### PER CURIAM.

Petition for Writ of Mandamus Denied and Memorandum Opinion filed April 30, 2009  
Petition for Writ of Mandamus Denied and Memorandum Opinion filed April 30, 2009. In The Fourteenth Court of Appeals \_\_\_\_\_ NO. 14-09-00255-CV \_\_\_\_\_ IN RE MARY RIGGINS, Relator ORIGINAL PROCEEDING WRIT OF MANDAMUS M E M O R A N D U M O P I N I O N On March 23, 2009, relator, Mary Riggins, filed a petition for writ of mandamus in this court.

See Tex. Gov't Code Ann. ' 22.221 (Vernon 2004); see also Tex. R. App. P. 52. In the petition, relators ask this court to compel the Honorable W. Edwin Denman, presiding judge of the 412th District Court of Brazoria County, to (1) vacate his order granting the motion to enforce a Rule 11 agreement; (2) vacate his order granting summary judgment in favor of the real parties in interest; [1] (3) vacate his order of abatement; (4) vacate any and all orders awarding attorney=s fees to the real parties in interest or their counsel; (5) enter an order an order granting a default judgment; and (6) enter an order prohibiting the real parties in interest from engaging in any further discovery.

To be entitled to the extraordinary relief of a writ of mandamus, relator must show that the trial court clearly abused its discretion and she has no adequate remedy by appeal. In re Team Rocket, L.P., 256 S.W.3d 257, 259 (Tex. 2008) (orig. proceeding).

On February 2, 2009, the trial court signed and entered a final judgment in the underlying case. See *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191 (Tex. 2001). Relator, therefore, has an adequate remedy by appeal. Moreover, relator=s petition does not comply with the Texas Rules of Appellate Procedure. See Tex. R. App. P. 52.3(j), 52.3(k)(1)(A), and 52.7(a)(1). Relator has not established her entitlement to the extraordinary relief of a writ of mandamus.

Accordingly, we deny relator=s petition for writ of mandamus. PER CURIAM Panel consists of Justices Yates, Guzman, and Sullivan. [1] The real parties in interest are Ronald E. Hill, Linda C. Hill, West Columbia Plaza Ltd., Lucky Lindy Development Corp., and Angela Stewart.