

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

**In re Linda Christina Benavides Alexander and Shirley Hale Mathis,
Guardians of the Person and Estate of Carlos Y. Benavides Jr.**

No. 04-14-00760-CV · No. 04-14-00760-CV · Decided December 10, 2014

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas MEMORANDUM OPINION No. 04-14-00760-CV IN RE Linda Christina Benavides ALEXANDER and Shirley Hale Mathis, guardians of the person and estate of Carlos Y. Benavides Jr., Relators Original Mandamus Proceeding 1 PER CURIAM Sitting: Catherine Stone, Chief Justice Karen Angelini, Justice Marialyn Barnard, Justice Delivered and Filed: December 10, 2014 PETITION FOR WRITS OF MANDAMUS, PROHIBITION AND INJUNCTION DENIED On October 30, 2014, relators filed this petition seeking writs of mandamus, prohibition and injunction against the 49th District Court of Webb County, Texas and real party in interest, Leticia R. Benavides, and complaining of the district court's denial of relators' plea in abatement in the underlying litigation.

The court has considered relators' petition and is of the opinion that relators are not entitled to the relief sought. Accordingly, the petition for writs of mandamus, prohibition and injunction is denied. See TEX. R. APP. P. 52.8(a). PER CURIAM 1 This proceeding arises out of Cause No. 2012CVQ000161-D3, styled Texas Community Bank, N.A. v. Shirley Hale Mathis, Temporary Guardian of Carlos Y. Benavides Jr., and Leticia R. Benavides, pending in the 49th Judicial District Court, Webb County, Texas, the Honorable Joe Lopez presiding.