

**COURT OF APPEALS OF TEXAS, THIRTEENTH DISTRICT, CORPUS
CHRISTI–EDINBURG**

In re Gustavo Ramirez

In re Ramirez · No. 13-21-00215-CV · Decided July 13, 2021

OPINION

in Re Gustavo Ramirez

PER CURIAM.

NUMBER 13-21-00215-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

IN RE GUSTAVO RAMIREZ

On Petition for Writ of Mandamus.

ORDER

Before Chief Justice Contreras and Justices Benavides and Silva Order Per Curiam Relator Gustavo Ramirez has filed a petition for writ of mandamus and a motion for stay pending mandamus in the above-referenced cause. Through this original proceeding, relator seeks to compel the trial court to vacate its order of July 2, 2021, compelling relator to appear for a presuit deposition pursuant to Texas Rule of Civil Procedure 202. See TEX. R. CIV. P. 202 (governing depositions before suit or to investigate claims). By motion for stay pending mandamus, relator seeks to stay the trial court’s order pending resolution of this original proceeding. The Court, having examined and fully considered the motion for stay pending mandamus, is of the opinion that the motion should be granted. Accordingly, we grant the relator’s motion for stay pending mandamus, and we order the presuit deposition to be stayed pending resolution of this original proceeding. See TEX. R. APP. P. 52.10(b) (“Unless vacated or modified, an order granting temporary relief is effective until the case is finally decided.”). The Court requests that the real parties in interest, Ambrose Hernandez; Legacy Home Health Agency, Inc.; and Legacy Home Care Services Inc. d/b/a All Seasons Home Care, Inc.; or any others whose interest would be directly affected by the relief sought, file a response to the petition for writ of mandamus on or before the expiration of ten days from the date of this order. See id. R. 52.2, 52.4, 52.8.

PER CURIAM

Delivered and filed on the 13th day of July, 2021. 2