Fourth Court of Appeals
San Antonio, Texas

November 26, 2014

No. 04-14-00584-CV

IN RE EL CABALLERO RANCH, INC.

Original Mandamus Proceeding[1]

ORDER

On August 13, 2014, relator El Caballero Ranch, Inc. filed a petition for a writ of mandamus. The court has considered relator's petition, the responses and replies of the parties, and has determined that relator is entitled to the relief requested. Accordingly, the petition for writ of mandamus is CONDITIONALLY GRANTED. TEX. R. APP. P. 52.8(c).

The Honorable Stella Saxon is ORDERED to vacate that portion of the August 4, 2104 First Amended Order Granting Traditional and No-Evidence Motion for Summary Judgment of Grace River Ranch, LLC granting Grace River Ranch, LLC the right to use and ability to maintain the "Grace River Easement" as of August 14, 2014. The writ will issue only if we are notified that Judge Saxon has not done so within fifteen days from the date of this order.

The motion to strike filed by relator is DENIED.

It is so **ORDERED** on November 26, 2014.

Karen Angelini, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 26th day of November, 2014.

COURT OF APPEALS STATE OF TEXAS

Keith E. Hottle, Clerk

[1] This proceeding arises out of Cause No. 13-04-00108-CVL, styled *Grace River Ranch, LLC v. El Caballero Ranch, Inc. a/k/a El Caballero, LLC and Laredo Marine, LLC v. Robert W. Brittingham*, pending in the 218th Judicial District Court, La Salle County, Texas, the Honorable Stella Saxon presiding.