COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

IN RE:	§	No. 08-16-00176-CV
WINTON & ASSOCIATES, INC.,	§	AN ORIGINAL PROCEEDING
Relator.	§	IN MANDAMUS
	§	

MEMORANDUM OPINION

Relator, Winton & Associates, Inc., has filed a petition for writ of mandamus against the Honorable Javier Alvarez asking that we order Respondent to set aside an order denying Relator's plea in abatement and order the parties to arbitration. We deny mandamus relief.

To be entitled to mandamus relief, a relator must meet two requirements. *In re Prudential Insurance Company of America, L.L.C.*, 148 S.W.3d 124, 135 (Tex. 2004); *Walker v. Packer*, 827 S.W.2d 833, 840 (Tex. 1992). First, the relator must show that the trial court clearly abused its discretion. *In re Prudential*, 148 S.W.3d at 135. Second, it must demonstrate that there is no adequate remedy by appeal. *In re Prudential*, 148 S.W.3d at 135-36; *In re McAllen Medical Center, Inc.*, 275 S.W.3d 458, 462 (Tex. 2008). Based on the petition and record before us, we conclude that Relator has failed to establish it is entitled to mandamus relief. *See* TEX.R.APP.P. 52.8. Accordingly, the petition is denied.

STEVEN L. HUGHES, Justice

August 17, 2016

Before McClure, C.J., Rodriguez, and Hughes, JJ.