Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-17-00675-CV

IN RE CODY TEXAS, L.P.

Original Mandamus Proceeding[1]

PER CURIAM

Sitting: Karen Angelini, Justice
Marialyn Barnard, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: November 1, 2017

PETITION FOR WRIT OF MANDAMUS DENIED

The underlying proceeding is on remand after this court rendered judgment that granted Cody Texas, L.P.'s bill of review and remanded the case to the trial court for further proceedings. *See Cody Tex., L.P. v. BPL Expl., Ltd.*, 513 S.W.3d 522, 543 (Tex. App.—San Antonio 2016, pet. denied). Both parties have filed motions for judgment in the trial court.

In this mandamus proceeding, relator, Cody Texas, L.P., requests us to compel the trial court "to grant Cody Texas' Motion for Judgment and enter a final judgment that BPL Exploration, Ltd. take nothing by all claims alleged or that could have been alleged in its lawsuit." The court has considered relator's petition for a writ of mandamus and is of the opinion that relator has not

[1] This proceeding arises out of Cause No. 8,665, styled *BPL Exploration, Ltd. v. Cody Energy L.L.C., and Cody Texas, L.P.*, pending in the 49th Judicial District Court, Zapata County, Texas, the Honorable Jose A. Lopez presiding.

demonstrated it is entitled to the relief sought. Accordingly, we deny the petition for a writ of mandamus.

PER CURIAM