



**NUMBER 13-08-161-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN RE: PROGRESO INDEPENDENT SCHOOL DISTRICT**

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**On Petition for Writ of Mandamus and  
Motion for Emergency Stay**

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**MEMORANDUM OPINION**

**Before Justices Yañez, Rodriguez and Vela  
Memorandum Opinion Per Curiam**

Relator, Progreso Independent School District, filed a petition for writ of mandamus in the above cause on March 28, 2008, in which it alleges that respondent, The Honorable Leticia Lopez, Presiding Judge of the 389th Judicial District Court of Hidalgo County, Texas, abused her discretion by issuing a temporary injunction prohibiting Progreso Independent School District from omitting the name of Eleazar Perez, Jr., as a candidate for Trustee, Place 3, of the District, from the election ballot for the May 10, 2008 election.

In addition to the petition for writ of mandamus, relator filed a motion for emergency stay asking the Court to order a stay of the March 28, 2008 order pending a decision on the merits of the petition for writ of mandamus. This Court requested the real party in interest, Eleazar Perez, Jr., to file a response no later than 2:00 p.m. on March 31, 2008. Real party in interest filed his response on March 31, 2008.

The Court, having examined and fully considered the petition for writ of mandamus, motion for emergency stay, and the response to relator's petition for writ of mandamus, is of the opinion that relator has not shown itself entitled to the relief sought and the petition for writ of mandamus should be denied. In addition, the relator's motion for emergency relief is denied.

The relator's petition for writ of mandamus is hereby DENIED. See TEX. R. APP. P. 52.8(a).

PER CURIAM

Memorandum Opinion delivered and  
filed this 31st day of March, 2008.