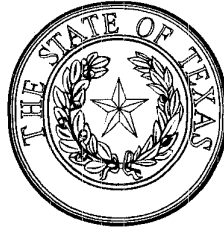


Writ of Mandamus Denied, Opinion issued November 15, 2005



In The  
**Court of Appeals**  
**Fifth District of Texas at Dallas**

No. 05-05-01434-CV

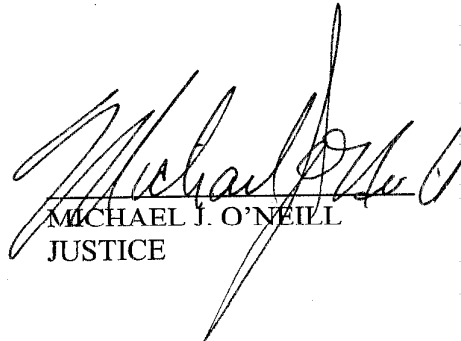
**IN RE STUDEBAKER-WORTHINGTON LEASING CORP., Relator**

**Original Proceeding from the County Court at Law No. 4**  
**Dallas County, Texas**  
**Trial Court Cause No. CC-05-06419-d**

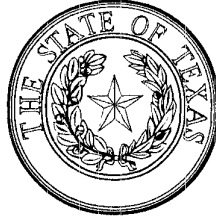
**MEMORANDUM OPINION**

Before Justices Wright, O'Neill, and Lang  
Opinion by Justice O'Neill

Relator contends the trial judge abused his discretion in denying its motion to dismiss that was based on a forum selection clause. The facts and issues are well known to the parties, so we need not recount them herein. Based on the record before us, we conclude relator has not shown the trial judge's ruling was a clear abuse of discretion. *See* TEX. R. APP. P. 52.8(a); *Walker v. Packer*, 827 S.W.2d 833, 839-44 (Tex. 1992) (orig. proceeding). Accordingly, we **DENY** relator's petition for writ of mandamus.

  
MICHAEL J. O'NEILL  
JUSTICE

Order issued November 15, 2005



In The  
**Court of Appeals**  
**Fifth District of Texas at Dallas**

No. 05-05-01434-CV

**IN RE STUDEBAKER-WORTHINGTON LEASING CORP., Relator**

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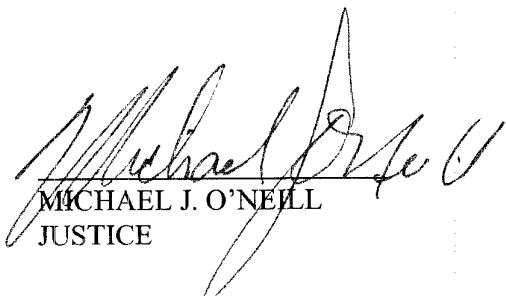
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**ORDER**

Before Justices Wright, O'Neill, and Lang

Based on the Court's opinion of this date, we **DENY** relator's petition for writ of mandamus. We **ORDER** that relator Studebaker-Worthington Leasing Corp. bear the costs of this original proceeding.

  
MICHAEL J. O'NEILL  
JUSTICE