

IN THE SUPREME COURT OF TEXAS

No. 21-0068

IN RE ANDRES SANCHEZ, RELATOR

ON PETITION FOR WRIT OF MANDAMUS

PER CURIAM

In this mandamus proceeding, Relator Andres Sanchez asks us to review the trial court's order striking a controverting affidavit from Andrew Kant, M.D. The counteraffidavit was offered under Texas Civil Practice and Remedies Code section 18.001 to challenge the necessity of the alleged medical expenses of G.D., a minor child, as set forth in affidavits submitted under section 18.001.¹

The trial court ruled without the benefit of our recent opinion in *In re Allstate Indemnity Co.*, ___ S.W.3d ___ (Tex. 2021) (orig. proceeding). We believe the trial court should have the opportunity to reconsider its order in light of that opinion. Accordingly, we deny the petition for writ of mandamus without prejudice to give the trial court that opportunity.

OPINION DELIVERED: June 25, 2021

¹ Sanchez's petition also sought review of orders striking controverting affidavits from Dr. Kant and Rhonda Guitreau regarding the alleged medical expenses of two adults involved in the same accident. Sanchez has advised the Court that their underlying claims have been resolved, and thus Sanchez now seeks relief only from the order striking Dr. Kant's counteraffidavit as to G.D.'s medical expenses.