



COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

	§	No. 08-13-00355-CV
IN RE: TENET HOSPITALS LIMITED,	§	
A TEXAS LIMITED PARTNERSHIP	§	AN ORIGINAL PROCEEDING
D/B/A PROVIDENCE MEMORIAL	§	
HOSPITAL	§	IN MANDAMUS
RELATOR,	§	
	§	

**MEMORANDUM OPINION**

Relator, Tenet Hospitals Limited, a Texas Limited Partnership d/b/a Providence Memorial Hospital, has filed a petition for writ of mandamus, asking this Court to compel the respondent, the Honorable Sergio Enriquez, to vacate his order of October 31, 2013. The trial court ordered Relator to respond to the real party in interest's interrogatory regarding prior lawsuits filed against Relator since January 1, 2003 at any Tenet owned facility that involved discrepancies for test results between departments at those facilities. We set the case for oral argument on June 5, 2014. Relator requested we postpone oral argument as the parties were seeking to resolve their dispute. We granted that motion.

Subsequently, Relator filed a motion to dismiss this mandamus proceeding because the

parties have settled the underlying case. *Cf.* TEX.R.APP.P. 42.1(a). The motion to dismiss has been on file for more than ten days and indicates it has been served upon the real parties in interest's counsel and that the real party in interest does not oppose the motion. *See* TEX.R.APP.P. 10.1(a)(5), 10.3(a)(2). As of today, we have received no response or opposition to the motion. No opinion has issued. *See* TEX.R.APP.P. 42.1(c).

Relator's requested relief in the petition for writ of mandamus is now moot. The motion is granted without prejudice, and we dismiss this original proceeding without reference to the merits.

July 23, 2014

YVONNE T. RODRIGUEZ, Justice

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