



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

No. 05-12-01145-CV

IN RE HON. KENNETH SHEETS AND THE  
DALLAS COUNTY REPUBLICAN PARTY, Relators

Original Proceeding  
Dallas County, Texas

**MEMORANDUM OPINION**

Before Justices Bridges, Richter and Francis  
Opinion by Justice Bridges

Relators filed this petition for writ of mandamus requesting that this Court order Hon. Paul Petersen, the Chair of the Libertarian Party of Dallas County, to declare Theodore Patrick Spreng ineligible to serve as the Libertarian Nominee for State Representative, District 107, on the 2012 General Election ballot, having voted in the Republican primary. The facts and issues are well known to the parties, so we need not recount them herein. Petersen has issued a declaration of ineligibility as to Spreng and delivered it to the Secretary of State. Therefore, the issues presented in this petition are moot. *See Dow Chem. Co. v. Garcia*, 909 S.W.2d 503, 505 (Tex. 1995) (orig. proceeding), *In re Gill*, No. 06-04-00090-CV, 2004 WL 1884498 at \*1 (Tex. App.–Texarkana Aug. 24, 2004, orig. proceeding). Accordingly, we **DISMISS** relators' petition for writ of mandamus.

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DAVID L. BRIDGES  
JUSTICE