

Dismiss and Opinion Filed October 6, 2015



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

No. 05-15-01188-CV

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IN RE ANDREW LEE JACKSON, Relator

**Original Proceeding from the Criminal District Court No. 5
Dallas County, Texas
Trial Court Cause No. F-9104916-IL, F-9202256-IL**

MEMORANDUM OPINION

Before Justices Lang-Miers, Evans, and Whitehill
Opinion by Justice Whitehill

Relator filed this petition for writ of mandamus requesting that the Court order the trial court to rule on his motion to appoint a forensic handwriting examiner. The Court has received a clerk's record that shows the trial court denied relator's motion on September 21, 2015. Accordingly, the petition for writ of mandamus is moot. *See In re Kellogg Brown & Root, Inc.*, 166 S.W.3d 732, 737 (Tex. 2005) (orig. proceeding) ("A case becomes moot if a controversy ceases to exist between the parties at any stage of the legal proceedings."); *State Bar of Tex. v. Gomez*, 891 S.W.2d 243, 245 (Tex. 1994) (orig. proceeding) (stating that for controversy to be justiciable, there must be a real controversy between the parties that will be actually resolved by the judicial relief sought); *Dow Chem. Co. v. Garcia*, 909 S.W.2d 503, 505 (Tex. 1995) (orig. proceeding) (court will not issue mandamus if it would be useless or unavailing).

We dismiss the petition for want of jurisdiction.

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/Bill Whitehill/

BILL WHITEHILL
JUSTICE