

Opinion issued November 20, 2008



**In The
Court of Appeals
For The
First District of Texas**

**NO. 01-08-00799-CV
NO. 01-08-00800-CV
NO. 01-08-00801-CV**

IN RE DENNIE BRUNS, Relator

**On Petitions for Writs of Mandamus, Prohibition, and Injunction
from the 56th District Court
Galveston County, Texas
Trial Court Cause No. 07CV1439**

MEMORANDUM OPINION

By petitions for writs of mandamus, prohibition, and injunction, relator Dennie Bruns challenges the trial court's July 2, 2008 order transferring venue to DeWitt County and seeks to prohibit both the DeWitt County trial court and real party in

interest, Top Design, Inc., from taking any action on the underlying litigation presently pending in that county.

In our modified opinion on the interlocutory appeal arising from the underlying case, we vacated the July 2, 2008 order, which transferred the underlying case to a county outside our jurisdiction. *Bruns v. Top Design, Inc.*, slip op., No. 01-08-00070-CV, (Tex. App.—Houston [1st Dist.] November 20, 2008).

We dismiss the petition for writs of mandamus, prohibition, and injunction as moot.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Nuchia and Higley.