

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-17-00360-CV**

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**IN RE BOBBY G. BENNETT**

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**Original Proceeding**  
**418th District Court of Montgomery County, Texas**  
**Trial Cause No. 15-05-04918**

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**MEMORANDUM OPINION**

In a mandamus petition, Bobby G. Bennett contends the trial court abused its discretion by failing to grant his motion to transfer his petition seeking to modify the terms and conditions established by the final decree entered in his divorce, which governs his rights of access and possession to his two children. *See generally* Tex. Fam. Code Ann. §§ 155.201(b); 155.204(c) (West 2014). The trial court granted the motion to transfer after this original proceeding commenced. Neither Bennett nor the real party in interest, Laura Merryman Bennett, objected to a suggestion of

mootness. Without reference to the merits, we dismiss the mandamus proceeding as moot.

PETITION DISMISSED.

PER CURIAM

Submitted on October 9, 2017  
Opinion Delivered November 2, 2017

Before McKeithen, C.J., Kreger and Horton, JJ.