



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 2-09-276-CV

IN RE DAMIEN THIBOULT

RELATOR

ORIGINAL PROCEEDING

MEMORANDUM OPINION¹

The court has considered relator's petition for writ of mandamus, the State's response, and the trial court's October 16, 2009 order and is of the opinion that the petition should be dismissed as moot.² Accordingly, relator's petition for writ of mandamus is dismissed as moot.

PER CURIAM

PANEL: LIVINGSTON, J.; CAYCE, C.J.; and GARDNER, J.

DELIVERED: October 22, 2009

¹ See Tex. R. App. P. 47.4.

² To the extent relator asks for relief other than a ruling on the motion to compel, that relief is denied.