

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-11-00528-CV

In re Robert Lee Martin

ORIGINAL PROCEEDING FROM TRAVIS COUNTY

MEMORANDUM OPINION

Relator filed a petition for writ of mandamus complaining that the trial court had not ruled on his motion for appointment of counsel related to his petition for DNA testing. *See* Tex. R. App. P. 52.8, *see also* Tex. Code Crim. Proc. art. 64.01 (West Supp. 2010). The State has filed a response explaining that the trial court considered and denied Martin's motion for counsel on November 17, 2011. Because Martin has received the relief he sought via mandamus, his petition is moot. We deny Martin's petition for writ of mandamus.

David Puryear, Justice

Before Justices Puryear, Rose and Goodwin

Filed: December 1, 2011