

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-18-00300-CV**

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**In re The Austin Defense Coalition, Inc.; George C. Lobb; and Millie L. Thompson**

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**ORIGINAL PROCEEDING FROM TRAVIS COUNTY**

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**MEMORANDUM OPINION**

Relators filed a petition for writ of mandamus seeking to have this Court order the trial court (1) to unseal the court's gag order made in the underlying criminal case and (2) to vacate the gag order. *See* Tex. Gov't Code § 22.221; *see also* Tex. R. App. P. 52.1. In response, real party in interest, the State of Texas, has filed a motion to dismiss this mandamus proceeding as moot. The motion has been on file for more than ten days, and the relators have not opposed the motion. *See* Tex. R. App. P. 10.3.

In its motion, the State advises the Court that the trial court signed orders granting motions to lift the gag order and to unseal it immediately and release the transcript of the proceedings upon the conclusion of the jury trial in the underlying case. The jury reached a verdict and the trial was concluded on May 10, 2018. Accordingly, the gag order has been lifted and the record related to it has been unsealed, rendering this mandamus proceeding moot. *See In re Kellogg Brown & Root, Inc.*, 166 S.W.3d 732, 737 (Tex. 2005) ("A case becomes moot if a controversy ceases to exist between the parties at any stage of the legal proceedings . . ."). Therefore, we grant the motion and dismiss this mandamus proceeding as moot.

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Cindy Olson Bourland, Justice

Before Justices Puryear, Pemberton, and Bourland

Filed: May 25, 2018