



NUMBER 13-09-00293-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE: TEXAS ASSOCIATION OF SCHOOL BOARDS, INC.

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Yañez and Benavides
Memorandum Opinion Per Curiam¹**

Relator, Texas Association of School Boards, Inc., filed a petition for writ of mandamus in the above cause on June 1, 2009. The Court requested and received a response to the petition for writ of mandamus from the real party in interest, and further received a reply brief filed by relator. Relator has now filed an unopposed motion to dismiss this original proceeding on grounds that the parties have settled and compromised their dispute. Relator thus asks this Court to dismiss the petition for writ of mandamus as moot.

¹ See TEX. R. APP. P. 52.8(d) ("When denying relief, the court may hand down an opinion but is not required to do so."); TEX. R. APP. P. 47.4 (distinguishing opinions and memorandum opinions).

The Court, having examined and fully considered the unopposed motion to dismiss, is of the opinion that relator has shown itself entitled to the relief sought. Accordingly, the unopposed motion to dismiss is GRANTED and the petition for writ of mandamus is hereby DISMISSED as moot. See TEX. R. APP. P. 52.8(a).

PER CURIAM

Memorandum Opinion delivered and filed this 6th day of August, 2009.