



**NUMBERS 13-10-00122-CR  
13-10-00123-CR**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN RE CROS MEDRANO, JR.**

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**On Petition for Writ of Mandamus.**

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**MEMORANDUM OPINION**

**Before Chief Justice Valdez and Justices Benavides and Vela  
Memorandum Opinion Per Curiam<sup>1</sup>**

Relator, Cros Medrano, Jr., pro se, filed a petition for writ of mandamus in the above causes on March 15, 2010, through which he contends that the trial court has failed to timely rule on a motion for nunc pro tunc judgment requesting a jail time credit. According to the petition for writ of mandamus, the State Counsel for Offenders filed the motion for nunc pro tunc judgment on or about May 13, 2009. According to documents filed with the Court; however, the trial court granted the nunc pro tunc motion by identical orders issued

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<sup>1</sup> 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).

on May 15, 2009 and in March of 2010.

Because respondent has ruled on relator's motion for nunc pro tunc judgment, relator's petition for writ of mandamus asking us to require respondent to rule is 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 . . ."); *State Bar of Texas v. Gomez*, 891 S.W.2d 243, 245 (Tex. 1994) (stating that, for a controversy to be justiciable, there must be a real controversy between the parties that will be actually resolved by the judicial relief sought).

The Court, having examined and fully considered the petition for writ of mandamus, is of the opinion that this matter has been rendered moot. Accordingly, the Court DISMISSES the petition for writ of mandamus in these causes as moot without reference to the merits thereof. See TEX. R. APP. P. 52.8(a).

PER CURIAM

Do not publish.  
See TEX. R. APP. P. 47.2(b).  
Delivered and filed the  
16th day of March, 2010.