

NO. 12-10-00207-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*IN RE: REGIONAL UROLOGY, LLC,
RELATOR*

§

§ *ORIGINAL PROCEEDING*

§

***MEMORANDUM OPINION
PER CURIAM***

In this original proceeding, Regional Urology seeks a writ of mandamus directing the respondent to grant its motion to stay the underlying Texas suit until resolution of the prior Louisiana suit involving the same parties and the same subject matter. The respondent was not the presiding judge when the orders denying Regional Urology's motion for stay and its subsequent motion for reconsideration were signed. Accordingly, we abated this proceeding to provide the respondent an opportunity to reconsider the orders. *See* TEX. R. APP. P. 7.2(b).

In response to this court's order, the respondent vacated the order overruling Regional Urology's motion to stay, and signed an order granting Regional Urology's motion to reconsider its motion to stay the Texas suit. Thus, this original proceeding is now moot. Accordingly, the abatement is lifted, and this original proceeding is *dismissed*.

Opinion delivered September 1, 2010.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)