

Mandamus; Dismissed and Opinion Filed November 19, 2013.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-13-01500-CV

IN RE MIGUEL SOLIS, Relator

**Original Proceeding from the 191st Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-13-12543**

MEMORANDUM OPINION

Before Justices Moseley, Lang-Miers, and Evans
Opinion by Justice Moseley

This case involves the election of the representative of District 8 to the Board of Trustees for the Dallas Independent School District. Relator filed a petition for writ of mandamus asserting the trial court abused its discretion in denying his plea to the jurisdiction of real party's claim for injunctive relief. The Court now has before it real party in interest's October 31, 2013 motion to dismiss the original proceeding as moot. Real party states she filed a notice of nonsuit of her petition requesting injunctive relief. On November 6, 2013, relator filed a response stating that because the election is now over and real party has abandoned her suit, he does not oppose dismissal of this original proceeding as moot. Accordingly, we grant real party in interest's motion.

We vacate the order of October 30, 2013 staying all proceedings in the trial court. We dismiss relator's petition for writ of mandamus as moot. *See Dow Chem. Co. v. Garcia*, 909

S.W.2d 503, 505 (Tex. 1995) (orig. proceeding).

/Jim Moseley/
JIM MOSELEY
JUSTICE

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