

Denied as Moot and Opinion Filed October 14, 2016



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-16-01074-CV
No. 05-16-01075-CV
No. 05-16-01076-CV
No. 05-16-01077-CV

IN RE: LARRY B. JOHNSON, Relator

Original Proceeding from the Criminal District Court No. 1
Dallas County, Texas
Trial Court Cause Nos. F-08-11151-H, F-08-11221-H,
F-09-00661-H, and F-09-00662-H

MEMORANDUM OPINION

Before Justices Bridges, Myers, and Whitehill
Opinion by Justice Whitehill

Before the Court is relator's September 9, 2016 petition for writ of mandamus in which relator contends the trial court failed to act on his motion for DNA testing. On September 30, 2016, the trial court issued its notification of pro se motion for post-conviction DNA testing and appointment of counsel in accordance with article 64.02 of the Texas Code of Criminal Procedure. Therefore, the issues presented in this petition are moot. *See In re Williams*, 05-12-00485-CV, 2012 WL 1595080, at *1 (Tex. App.—Dallas May 7, 2012, no pet.). Accordingly, we **DENY** relator's petition for writ of mandamus as moot.

/Bill Whitehill/
BILL WHITEHILL
JUSTICE