

DISMISS and Opinion Filed September 20, 2018



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

No. 05-17-01386-CV

**GAURAV MISHRA, Appellant
V.
SHILPA MISHRA, Appellee**

**On Appeal from the 219th Judicial District Court
Collin County, Texas
Trial Court Cause No. 219-55658-2017**

MEMORANDUM OPINION

Before Justices Stoddart, Whitehill, and Boatright
Opinion by Justice Whitehill

Appellant appeals from the trial court's protective order signed on November 8, 2017. On August 29, 2018, a supplemental clerk's record was filed containing the trial court's order vacating as void the November 8 protective order. In response, the Court instructed appellant to file a letter brief explaining how the appeal is not now moot or, alternatively a motion to dismiss the appeal. *See Nat'l Collegiate Athletic Ass'n v. Jones*, 1 S.W.3d 83, 86 (Tex. 1999) (case becomes moot and court loses jurisdiction if controversy between parties ceases to exist).

Before the Court is appellant's unopposed motion to dismiss the appeal and vacate the appealed protective order. Because the protective order has already been vacated, we grant the

motion to the extent that we dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

/Bill Whitehill/
BILL WHITEHILL
JUSTICE

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

JUDGMENT

GAURAV MISHRA, Appellant

No. 05-17-01386-CV V.

SHILPA MISHRA, Appellee

On Appeal from the 219th Judicial District
Court, Collin County, Texas
Trial Court Cause No. 219-55658-2017.
Opinion delivered by Justice Whitehill.
Justices Stoddart and Boatright
participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellee SHILPA MISHRA recover her costs of this appeal from appellant GAURAV MISHRA.

Judgment entered September 20, 2018.