

**DISMISS; Opinion Filed October 7, 2020**



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

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**No. 05-20-00066-CV**

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**IN RE JAMES DONDERO, Relator**

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**Original Proceeding from the 256th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DF-11-16417**

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**MEMORANDUM OPINION**

Before Justices Schenck, Partida-Kipness, and Nowell  
Opinion by Justice Schenck

In this original proceeding, Relator James Dondero contends the trial court erred by determining attorney's fees incurred by real party Rebecca Lange in connection with a post-judgment debt collection action were authorized by and could be awarded to real party under the Texas Family Code.

By order dated August 18, 2020, we remanded this case to the trial court and ordered the trial court to conduct a new hearing on real party in interest's October 3, 2018 Motion To Reconsider Debt Collections Attorney's Fees. On October 5, 2020, relator filed a motion to withdraw his petition for writ of mandamus. Relator

attached to that motion a September 9, 2020 order from the trial court vacating the October 21, 2019 order challenged in relator's petition for writ of mandamus.

Because the trial court has vacated the order that was the subject of relator's petition for extraordinary relief, his petition is moot. We conclude that Relator's motion should be granted. Accordingly, we reinstate this original proceeding, lift the order of stay, grant relator's motion to withdraw, and dismiss as moot relator's petition for writ of mandamus. *See* TEX. R. APP. P. 42.1(a)(1); *In re Arnold*, No. 05-19-00843-CV, 2019 WL 3812061, at \*1 (Tex. App.—Dallas Aug. 14, 2019, orig. proceeding) (mem. op.).

/David J. Schenck/  
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DAVID J. SCHENCK  
JUSTICE

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