

Dismiss and Opinion Filed December 30, 2020



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-20-00760-CV

DALLAS COUNTY HOSPITAL DISTRICT D/B/A
PARKLAND HEALTH & HOSPITAL SYSTEM, Appellant

V.

DELLA MAE WILLIAMS, Appellee

On Appeal from the 134th Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-19-18710

MEMORANDUM OPINION

Before Justices Whitehill, Schenck, and Browning
Opinion by Justice Schenck

Appellant appeals from the trial court's interlocutory order denying its motion to dismiss appellee's healthcare liability claims for failure to file an expert report. *See* TEX. CIV. PRAC. & REM. CODE ANN. §§ 51.014(a)(9), 74.351. Before the Court is appellant's status report informing the Court that appellee has filed a notice of nonsuit of her claims and the trial court has signed an order of nonsuit. Because appellee has nonsuited her claims, appellant seeks dismissal of this appeal as moot. *See Klein v. Hernandez*, 315 S.W.3d 1, 3 (Tex. 2010) (holding that after non-suit in the trial court, "there was no live controversy for the court of appeals to

decide”). We construe appellant’s status report as a motion to dismiss, grant the motion, and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1).

/David J. Schenck/
DAVID J. SCHENCK
JUSTICE

200760F.P05



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

JUDGMENT

DALLAS COUNTY HOSPITAL
DISTRICT D/B/A PARKLAND
HEALTH & HOSPITAL SYSTEM,
Appellant

No. 05-20-00760-CV V.

On Appeal from the 134th Judicial
District Court, Dallas County, Texas
Trial Court Cause No. DC-19-18710.
Opinion delivered by Justice Schenk.
Justices Whitehill and Browning
participating.

DELLA MAE WILLIAMS, Appellee

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

It is **ORDERED** that the parties bear their own costs of this appeal.

Judgment entered this 30th day of December, 2020.