

Dismiss and Opinion Filed April 5, 2021



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

No. 05-20-00703-CV

**IN RE GEICO ADVANTAGE INSURANCE COMPANY AND CEONDRIA
HOBBS, Relators**

**Original Proceeding from the 439th Judicial District Court
Rockwall County, Texas
Trial Court Cause No. 1-19-1494**

MEMORANDUM OPINION

Before Justices Myers, Molberg, and Goldstein
Opinion by Justice Myers

Before the Court is the petition for writ of mandamus filed on July 29, 2020, by relators GEICO Advantage Insurance Company and Ceondria Hobbs. Relators contend the trial court abused its discretion by denying their motion to stay or abate the proceedings on the claims of real party in interest Constantine Farr while the Supreme Court of Texas was considering similar issues in *In re State Farm Mutual Automobile Insurance Co.*, Nos. 19-0791, 19-0792. On August 6, 2020, we issued a stay of further proceedings in the trial court pending resolution of this original proceeding. Farr filed a response to the petition for writ of mandamus, and relators filed a reply. In the reply, relators made clear that the only relief they sought was

“to stay the underlying proceedings while the Supreme Court of Texas decides two decisions which involve the same issues.”

On March 19, 2021, the supreme court issued one opinion resolving those two cases. *See In re State Farm Mutual Automobile Insurance Co.*, Nos. 19-0791, 19-0792, 2021 WL 1045651 (Tex. Mar. 19, 2021). This Court’s order staying the trial court proceedings followed by the supreme court’s decision delivered all the relief relators are requesting, thus making relators’ petition for writ of mandamus moot. *See In re Bonilla*, 424 S.W.3d 528, 534 (Tex. Crim. App. 2014) (original proceeding) (mandamus relief rendered moot when relator received information he was seeking).

Accordingly, we lift the stay of the proceedings in the trial court, and we dismiss relators’ petition for writ of mandamus as moot.

/Lana Myers/
LANA MYERS
JUSTICE

200703F.P05