

Dismiss and Opinion Filed August 19, 2021



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

No. 05-21-00181-CV

IN RE MARCUS JARROD PAYNE, Relator

**Original Proceeding from the 303rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DF-20-00663**

MEMORANDUM OPINION

Before Justices Molberg, Reichek, and Smith
Opinion by Justice Molberg

Before the Court is relator's March 24, 2021 petition for writ of mandamus in which he complains about the trial court's refusal to sign a final judgment. It came to our attention that the trial court has issued a final judgment in the underlying matter. Accordingly, we questioned our jurisdiction over this original proceeding because it appeared that relator's request for relief is moot. *See Heckman v. Williamson Cty.*, 369 S.W.3d 137, 162 (Tex. 2012) (court lacks jurisdiction over case that has become moot).

Although we directed relator to file a letter brief addressing our concern and cautioned him that failure to comply by August 2, 2021, could result in dismissal of

the original proceeding without further notice, he has not complied. Accordingly, we dismiss the petition for writ of mandamus.

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/Ken Molberg//
KEN MOLBERG
JUSTICE