

**DENIED and Opinion Filed April 20, 2022**



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

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**No. 05-21-01124-CV  
No. 05-21-01125-CV**

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**IN RE LAWRENCE ALLEN FULLER, Relator**

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**Original Proceeding from the Criminal District Court No. 3  
Dallas County, Texas  
Trial Court Cause Nos. F97-01742-J & F97-02170-J**

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**MEMORANDUM OPINION**

Before Justices Myers, Partida-Kipness, and Carlyle  
Opinion by Justice Myers

Lawrence Allen Fuller has filed a petition for writ of mandamus seeking to compel the trial court to issue a ruling on his motion for post-conviction DNA testing. The Court requested a response to the petition. In its response, the State has shown the respondent trial court issued a March 14, 2022 order denying relator's motion. Accordingly, we deny relief on the petition because the matter is now moot.

To obtain mandamus relief, relator must show: (1) that he has no adequate remedy at law, and (2) that the act he seeks to compel is a ministerial act for which he has a clear right to relief. *See In re Bonilla*, 424 S.W.3d 528, 534 (Tex. Crim. App. 2014) (orig. proceeding). In seeking to compel a ruling from the trial court,

relator has a right to a ruling, but mandamus may not be used to compel the trial court to rule a certain way on a matter in which it is exercising its judicial discretion. *In re State ex rel. Young v. Sixth Judicial Dist. Ct. of Appeals*, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007).

The trial court's ruling denying relator's motion delivers all of the relief he is requesting and entitled to in a mandamus proceeding, thus rendering his cause moot. *See Bonilla*, 424 S.W.3d at 534 (mandamus relief rendered moot when relator received information he was seeking); *In re Johnson*, 599 S.W.3d 311, 311–12 (Tex. App.—Dallas 2020, orig. proceeding) (mandamus proceeding seeking ruling on motion rendered moot when respondent trial court ruled on motion); *see also In re Graves*, No. 05-14-00306-CV, 2014 WL 1032466, at \*1 (Tex. App.—Dallas Mar. 13, 2014, orig. proceeding) (mem. op.) (mandamus proceeding seeking ruling on post-conviction DNA motion rendered moot when trial court issued ruling on motion).

Accordingly, relator's petition for writ of mandamus is denied as moot.

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/Lana Myers//  
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LANA MYERS  
JUSTICE