

Opinion issued July 31, 2008



In The
Court of Appeals
For The
First District of Texas

NO. 01-08-00166-CV

IN RE ARBOR CAPITAL AND INVESTMENT COMPANY, INC., Relator

Original Proceeding On Petition For Writ Of Mandamus

MEMORANDUM OPINION ¹

By petition for writ of mandamus, relator, Arbor Capital and Investment Co., Inc., challenges the trial court's March 3, 2008 order releasing funds from the court registry. On July 22, 2008, Arbor Capital and Investment Co., Inc. filed a motion to

¹ The underlying case is *2005 Deerwood Com, LTD Partnership, LTD v. Pasadena Gateway Venture, LTD, et al.*, Cause No. 2006-69655, in the 164th Judicial District of Harris County, Texas, the Hon. Martha Hill Jamison, presiding.

dismiss the petition for writ of mandamus without prejudice.

We **dismiss** the petition for writ of mandamus. All pending motions are overruled as moot.

Per Curiam

Panel consists of Justices Nuchia, Alcalá, and Hanks.