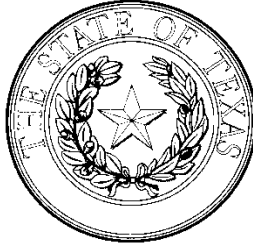


Opinion issued August 11, 2011.



In The
Court of Appeals
For The
First District of Texas

NO. 01-10-00745-CV

IN RE SAFECO INSURANCE COMPANY OF INDIANA, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

By petition for writ of mandamus, relator, Safeco Insurance Company of Indiana, sought relief from the trial court's order denying a motion to compel appraisal in the underlying insurance-coverage lawsuit.¹ We abated the mandamus proceeding at Safeco's request. Safeco has since moved to dismiss the petition for

¹ The underlying case is *Hosein Raja v. Safeco Insurance Company of Indiana, Windell Rogers, and Stephen Vietti*, No. 2009-43881, in the 11th District Court of Harris County, Texas, the Honorable Mike Miller presiding.

writ of mandamus, stating that it no longer desires to pursue mandamus relief. No opinion has issued.

Accordingly, we lift the abatement and reinstate the mandamus proceeding. We **grant** Safeco's motion and **dismiss** the petition for writ of mandamus.

PER CURIAM

Panel consists of Justices Jennings, Higley, and Brown.