

Opinion issued February 3, 2011.



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-10-01128-CV

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**IN RE MONICA NOLASCO, AS NEXT FRIEND OF E.D., A MINOR,  
Relator**

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**Original Proceeding on Petition for Writ of Mandamus**

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**MEMORANDUM OPINION**

Relator Monica Nolasco, as next friend of her minor niece, E.D., filed a petition for writ of mandamus complaining that the trial court denied her request for (1) a continuance of the trial of the underlying lawsuit and (2) to allow privately-retained counsel to substitute for court-appointed counsel in the

representation of E.D.<sup>1</sup> On February 2, 2011, relator moved the Court to dismiss her petition for writ of mandamus, stating that she no longer desires to pursue mandamus relief. No opinion has issued in this case.

Accordingly, we **grant** relator's motion. The petition for writ of mandamus is **dismissed**, and our order staying the trial of the underlying lawsuit is lifted.

### **PER CURIAM**

Panel consists of Chief Justice Radack and Justices Massengale and Brown.

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<sup>1</sup> The underlying lawsuit *In re J.D. and J.D.*, No. 2010-05623J in the 313th District Court of Harris County.