

Opinion issued February 10, 2011



In The
Court of Appeals
For The
First District of Texas

NO. 01-11-00036-CV

IN RE NEWTON B. SCHWARTZ, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION¹

On January 13, 2011, relator, Newton B. Schwartz, filed a petition for writ of mandamus, or alternatively, a writ of prohibition. On January 24, 2011, relator

¹ The underlying case is *Commission for Lawyer Discipline v. Newton B. Schwartz, Sr.*, No. 2007-54957 in the 157th District Court of Harris County. The Honorable David Brabham was appointed to sit for the underlying case.

moved to dismiss the petition for writ of mandamus, stating that relator no longer desires to pursue mandamus relief. No opinion has issued.

Accordingly, we grant relator's motion. The petition for writ of mandamus is **dismissed**.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Bland and Alcala.