

Opinion issued July 24, 2014.



In The
Court of Appeals
For The
First District of Texas

NO. 01-12-01154-CV

KIARA KING, Appellant

V.

SETTEGAST HEIGHTS VILLAGE, Appellee

**On Appeal from the County Civil Court at Law No. 1
Harris County, Texas
Trial Court Case No. 1018034**

MEMORANDUM OPINION

In this forcible-detainer action, appellant, Kiara King, challenges the trial court's judgment awarding possession of a leased premises to appellee, Settegast Heights Village ("SHV"). King has filed a motion to vacate the trial court's

judgment and dismiss the appeal, asserting that the only issue on appeal—current actual possession of the leased premises—is moot. *See Marshall v. Hous. Auth. of San Antonio*, 198 S.W.3d 782, 787 (Tex. 2006) (holding that when appellant presented no basis for claiming right to possession, there was no live controversy between the parties and issue of possession was moot). SHV has filed a response, contending that vacating the trial court’s judgment is improper. Although King asserts that she has since vacated the leased premises, we do not have a record that supports her assertion.

Accordingly, we grant King’s motion in part and dismiss the appeal. We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Justices Jennings, Bland, and Massengale.