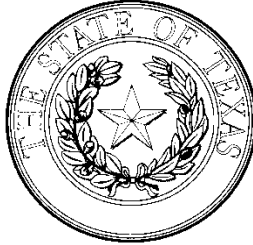


Opinion issued November 25, 2014.



In The
Court of Appeals
For The
First District of Texas

NO. 01-13-01075-CV

IN RE RAJ KUMAR VATS, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Raj Kumar Vats, has filed a petition for writ of mandamus challenging the trial court's orders denying his motion to disqualify counsel for real party in interest, Smrita Vats, and his motion for reconsideration of the motion to disqualify.¹ Relator, representing that he no longer wishes to proceed with the

¹ The underlying case is *Smrita Vats v. Raj Kumar Vats*, cause no. 2011-72178, in the 311th District Court of Harris County, Texas, the Honorable Alicia K. Franklin presiding. The Honorable Denise Pratt, who no longer presides over the 311th

mandamus proceeding, has filed an amended motion to dismiss the petition. No opinion has issued. *See* TEX. R. APP. P. 42.1(c). Further, although relator failed to include a certificate of conference in his motion, more than 10 days have passed and no party has responded to the motion. *See* TEX. R. APP. P. 10.1(a)(5), 10.3(a).

Accordingly, we reinstate this proceeding on the Court's active docket, grant relator's amended motion, and dismiss the petition for writ of mandamus. We dismiss all other pending motions as moot. We vacate this Court's order, issued on December 31, 2103, staying the trial of the underlying matter in cause no. 2011-72178.

PER CURIAM

Panel consists of Justices Higley, Bland, and Sharp.

District Court, signed the challenged orders. Accordingly, we abated the proceeding to allow the Honorable Alicia K. Franklin to reconsider the ruling underlying this mandamus proceeding. *See* TEX. R. APP. P. 7.2(b).