

Opinion issued October 13, 2016



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

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NO. 01-16-00612-CR

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**IN RE KEVIN DEMOND SCOTT, Relator**

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

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**MEMORANDUM OPINION**

Kevin Demond Scott seeks a writ of mandamus to compel the trial court to consider and rule on a motion for diligent participation credit.<sup>1</sup> See TEX. CODE CRIM. PROC. ANN. art. 42.12, §15(h) (West Supp. 2016).

We deny the petition. Any pending motions are denied as moot.

**PER CURIAM**

Panel consists of Justices Jennings, Keyes, and Brown.

Do not publish. TEX. R. APP. P. 47.2(b).

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<sup>1</sup> The underlying case is *The State of Texas v. Kevin Scott*, cause number 1502773, pending in the 228th District Court of Harris County, Texas, the Honorable Frank C. Price, sitting for the Honorable Marc Carter, 228th District Court.