

Opinion issued April 3, 2018



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

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NO. 01-17-00429-CV

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**IN RE SANTIAGO FLORES, JR., TFN HOLDINGS, LLC AND  
GLOBOFLORES LLC D/B/A MOMENTUM OILFIELD SERVICES,  
Relators**

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

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**MEMORANDUM OPINION**

Relators, Santiago Flores, Jr., TFN Holdings, LLC, and GloboFlores LLC d/b/a Momentum Oilfield Services, have filed a notice of dismissal of petition for writ of mandamus, which we construe as a motion to dismiss. *See* TEX. R. APP. P. 42.1(a)(1). Relators note that the real party in interest, Dr. Valentina Ugolini, the plaintiff in the underlying proceeding, filed a “Notice of Nonsuit Without Prejudice”

of her claims in the trial court on March 21, 2018, and that, as a result, relators request to withdraw their petition.

“A nonsuit extinguishes a case or controversy from the moment the motion is filed” and “[i]t renders the merits of the nonsuited case moot.” *Travelers Ins. Co. v. Joachim*, 315 S.W.3d 860, 862 (Tex. 2010) (internal quotation marks and citations omitted). Accordingly, we lift this Court’s stay imposed on June 14, 2017, grant the relators’ motion, and dismiss the mandamus petition as moot. *See* TEX. R. APP. P. 42.1(a)(1), 43.2(f). We dismiss all other pending motions as moot.

**PER CURIAM**

Panel consists of Justices Jennings, Keyes, and Higley.