

Opinion issued October 13, 2020



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

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NO. 01-20-00567-CV

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IN RE CARLOS E. ORTIZ, Relator

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

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**MEMORANDUM OPINION**

Relator, Carlos Ortiz, filed a Petition for Writ of Mandamus and Motion for Emergency Relief and Expedited Consideration challenging (1) an ex parte protective order entered in the 280th District Court of Harris County and (2) the denial of his motion to vacate that order without a hearing.<sup>1</sup> Following the transfer

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<sup>1</sup> The underlying case is *Maria Cruz v. Carlos Ortiz and In the Interest of L.O. and N.O.*, originally pending under cause number 2020-15772 in the 280th District Court of Harris County, Texas, the Honorable Barbara Stalder presiding.

of the protective order proceedings to the 309th District Court of Harris County, our Court granted relator's unopposed motion to abate this original proceeding to allow the new judge to consider the issues. Relator has since filed an unopposed motion to dismiss this original proceeding, averring that the parties have entered into a mediated settlement agreement resolving the issues raised in the mandamus petition.

Accordingly, we reinstate this original proceeding on our Court's active docket and grant relator's unopposed motion to dismiss the cause. We dismiss any other pending motions as moot.

**PER CURIAM**

Panel consists of Justices Kelly, Goodman, and Countiss.