

Opinion issued October 6, 2020



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00585-CV

IN RE DANIEL LEMKUIL, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Daniel Lemkuil, has filed a petition for writ of mandamus requesting that this Court direct respondent, the Honorable Tristan H. Longino, to “proceed with a timely hearing on Relator’s motion to withdraw and provide an official record of that proceeding.”¹ After filing his petition, relator filed a motion

¹ The underlying case is *In the Matter of the Marriage of Judy Hue Ho and Viet Nguyen*, Cause No. 2019-51425, pending in the 245th District Court of Harris County, Texas, the Honorable Tristan H. Longino presiding.

to dismiss his petition, advising that respondent had granted his motion to withdraw.

Because relator's complaint has been resolved, this matter has been rendered moot and we lack jurisdiction over the petition. *See State Bar of Tex. v. Gomez*, 891 S.W.2d 243, 245 (Tex. 1994) (“[F]or a controversy to be justiciable, there must be a real controversy between the parties that will be actually resolved by the judicial relief sought.”); *see also In re Salverson*, No. 01-12-00384-CV, 2013 WL 557264, at *1 (Tex. App.—Houston [1st Dist.] Feb. 14, 2013, orig. proceeding) (“[A] court cannot decide a case that has become moot”) (internal quotations omitted).

Accordingly, we grant relator's motion and dismiss the petition for writ of mandamus as moot. We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Justices Kelly, Goodman, and Countiss.