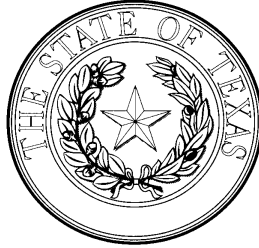


Opinion issued August 16, 2022



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

NO. 01-21-00610-CV

IN RE INTERCONTINENTAL TERMINALS COMPANY, LLC, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Intercontinental Terminals Company, LLC, filed a petition for writ of mandamus challenging the trial court's failure to rule on its Rule 91a motion to

dismiss.¹ Relator filed a letter advising this Court that the trial court had ruled on the motion and therefore, the petition for writ of mandamus is moot.²

Because the trial court has ruled, we conclude that this original proceeding is moot because the controversy alleged in the petition for writ of mandamus no longer exists. *See In re Kellogg Brown & Root*, 166 S.W.3d 732, 737 (Tex. 2005) (“A case becomes moot if a controversy ceases to exist between the parties at any stage of the legal proceedings, including the appeal.”).

The petition is dismissed as moot.

PER CURIAM

Panel consists of Justices Kelly, Countiss, and Rivas-Molloy.

¹ The underlying case is *Michael Grable v. Texas Mooring, LLC and Intercontinental Terminals Company, LLC*, cause number 2019-59120, pending in the 165th District Court of Harris County, Texas, the Honorable Ursula A. Hall presiding.

² Relator has since filed another petition for writ of mandamus in appellate case number 01-22-00089-CV, challenging the trial court’s order denying relator’s Rule 91a motion to dismiss. A copy of the trial court’s order is included in the record in that case.