

Motions for Rehearing and En banc Reconsideration Denied as Moot. Motion to Dismiss Granted. Petition for Writ of Prohibition Dismissed and Memorandum Opinion filed February 10, 2011.



In The

Fourteenth Court of Appeals

NO. 14-10-01023-CV

IN RE SALOMON JUAN HERNANDEZ, Relator

**ORIGINAL PROCEEDING
WRIT OF PROHIBITION**

SUBSTITUTE MEMORANDUM OPINION

The memorandum opinion of November 4, 2010 is withdrawn and this opinion is substituted in its place.

On October 21, 2010, relator, Salomon Juan Hernandez, filed a petition for writ of prohibition in this court. *See* Tex. Gov't Code Ann §22.221; *see also* Tex. R. App. P. 52.1. On November 4, 2010, this court issued an opinion dismissing relator's petition for want of jurisdiction. On November 8, 2010, relator filed a motion for rehearing and motion for en banc reconsideration. On February 2, 2011, relator filed a motion to dismiss the petition for writ of prohibition because the underlying case has been settled.

Relator's motions for rehearing and en banc reconsideration are denied as moot.

Relator's motion to dismiss is granted.

Accordingly, the petition for writ of prohibition is ordered dismissed.

PER CURIAM

Panel consists of Justices Anderson, Frost, and Brown.