

Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed March 10, 2011.



In The

Fourteenth Court of Appeals

NO. 14-10-01256-CV

IN RE RENAISSANCE SURGICAL CENTERS—NORTHEAST, LLP, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
113TH DISTRICT COURT
HARRIS COUNTY, TEXAS
TRIAL COURT NO. 2008-59296**

MEMORANDUM OPINION

On December 23, 2010, relator, Renaissance Surgical Centers—Northeast, LLP, filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code § 22.221; *see also* Tex. R. App. P. 52. Relator asked this Court to order the Honorable Patricia Hancock, the then-presiding judge of the 113th District Court in Harris County, Texas, to set aside an amended order signed April 7, 2010, outside the trial court's plenary power over a final default judgment signed December 9, 2009, in trial court cause number 2008-59296, styled *Mary Townsend v. Renaissance Surgical Centers—Northeast, Inc.*

Because the respondent ceased to hold the office of Judge of the 113th District Court of Harris County, Texas, after the institution of this action, we abated this mandamus proceeding to permit the respondent's successor, the Honorable John Donovan, to reconsider the decision regarding relator's request for relief. *See* Tex. R. App. P. 7.2(b).

On March 3, 2011, relator filed a supplement to the mandamus record containing an order signed February 28, 2011, vacating the April 7, 2010, amended order and reinstating the December 9, 2009, final default judgment. Therefore, the issues raised in relator's mandamus petition have been rendered moot.

Accordingly, we dismiss relator's petition for writ of mandamus as moot.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Frost and Jamison.