

Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed
September 22, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00719-CR

IN RE DAVID LORENZA JOYNER, Relator

ORIGINAL PROCEEDING
WRIT OF MANDAMUS
174th District Court
Harris County, Texas
Trial Court Cause No. 1310608

MEMORANDUM OPINION

On August 23, 2011, relator, David Lorenza Joyner, 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 complains that respondent, the Honorable Ruben Guerrero, presiding judge of the 174th District Court of Harris County, has failed to conduct a hearing and rule on his pre-trial application for writ of habeas corpus, which was filed on June 20, 2011.

To be entitled to mandamus relief in a criminal case, a relator must show that he has no adequate remedy at law to redress his alleged harm, and that what he seeks to compel is a ministerial act, not involving a discretionary or judicial decision. *State ex rel. Young v.*

Sixth Judicial Dist. Court of Appeals at Texarkana, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007) (orig. proceeding).

This court has been advised that the trial court denied relator's pre-trial application for writ of habeas corpus on August 31, 2011. An appeal from the denial of habeas relief has been assigned to this court and is docketed under our appeal number 14-11-00775-CR, styled *David Lorenza Joyner v. The State of Texas*.

Therefore, the issues in relator's petition for writ of mandamus 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 Anderson and Christopher.

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