

**Petition for Writ of Habeas Corpus Denied and Memorandum Opinion filed
November 25, 2014.**



In The

Fourteenth Court of Appeals

NO. 14-14-00906-CV

IN RE THOMAS GUTIERREZ, Relator

**ORIGINAL PROCEEDING
WRIT OF HABEAS CORPUS
245th District Court
Harris County, Texas
Trial Court Cause No. 2013-18031**

MEMORANDUM OPINION

On November 12, 2014, relator Thomas Gutierrez filed a petition for writ of habeas corpus in this court. *See* Tex. Gov't Code Ann. § 22.221; *see also* Tex. R. App. P. 52. In the petition, relator claims the capias order is void, and requests that he be discharged from confinement.

On October 9, 2014, the trial court issued an order for a capias when relator failed to appear for an enforcement hearing. Relator was arrested pursuant to the

capias on November 6, 2014. Since relator filed this petition, the trial court has entered a contempt judgment ordering relator confined. Because relator is no longer confined pursuant to the capias, but instead, is confined pursuant to the contempt judgment, the relief requested in relator's petition for writ of habeas corpus is moot.

Relator has not shown that he is entitled to a writ of habeas corpus. Accordingly, we deny relator's petition for writ of habeas corpus and his motion for emergency relief.

PER CURIAM

Panel consists of Justices McCally, Brown, and Wise.