

**Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed  
May 28, 2015.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-15-00401-CV**

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**IN RE JOSE GOMEZ AND EDUARDO GOMEZ, INDIVIDUALLY AND AS  
FORMER REPRESENTATIVES OF MCCARTY TRUCK WASH & LUBE,  
INC., GOMEZ MCCARTY TRUCK WASH & LUBE INC. F/K/A  
MCCARTY TRUCK WASH & LUBE, INC., AND BROTHERS TIRE  
SERVICES, INC. D/B/A MCARTY TRUCK WASH , LUBE & TIRES,  
Relators**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
215th District Court  
Harris County, Texas  
Trial Court Cause No. 2010-56104**

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**MEMORANDUM OPINION**

On May 4, 2015, relators Jose Gomez and Eduardo Gomez, Individually and as Former Representatives of McCarty Truck Wash & Lube, Inc., Gomez McCarty

Truck Wash & Lube Inc. f/k/a McCarty Truck Wash & Lube, Inc., and Brothers Tire Services, Inc. d/b/a McCarty Truck Wash, Lube & Tires filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (West 2004); *see also* Tex. R. App. P. 52. In the petition, relators ask this court to compel the Honorable Elaine Palmer, presiding judge of the 215th District Court of Harris County, to set aside her September 26, 2014 sanctions order.

On May 19, 2015, relators filed a motion to dismiss this original proceeding because the parties have settled the underlying case. Relators' requested relief is now moot. The motion is granted.

Accordingly, relators' petition for writ of mandamus is ordered dismissed. We also lift our stay entered on May 5, 2015.

PER CURIAM

Panel consists of Justices Christopher, Brown, and Wise.