

Dismissed and Memorandum Opinion filed June 2, 2016.



In The

Fourteenth Court of Appeals

NO. 14-15-00766-CR

EX PARTE JOHN MICHAEL ENARD

**On Appeal from the 178th District Court
Harris County, Texas
Trial Court Cause No. 1453912**

M E M O R A N D U M O P I N I O N

Appellant John Michael Enard appeals from the denial of his pretrial application for writ of habeas corpus challenging the constitutionality of sections 841.082, 841.085, and 841.142, of the Texas Health and Safety Code.

On September 3, 2015, appellant was convicted on his pleas of guilty to the offenses of failure to comply with sex-offender registration and failure to comply with civil-commitment requirements. Because appellant is no longer confined on a charge he challenged in his pretrial writ of habeas corpus, appellant's appeal of the

denial of that writ is moot. *See Martinez v. State*, 826 S.W.2d 620 (Tex. Crim. App. 1992) (holding that an appeal challenging the denial of a pretrial application for writ of habeas corpus becomes moot when the appellant is convicted of the underlying offense before the appellate court rules on the writ). Appellant appears to argue that this appeal is not moot because appellant allegedly made the same objections during the hearing at which the trial court accepted his “guilty” pleas in trial court cause numbers 1375416 and 1439251 as appellant had made in his pretrial application for writ of habeas corpus in trial court cause number 1453912. Presuming, without deciding, that appellant did so, this action would not prevent this appeal from being moot. *See Martinez*, 826 S.W.2d at 620.

Accordingly, we dismiss appellant’s appeal as moot.

PER CURIAM

Panel consists of Chief Justice Frost and Justices McCally and Brown.

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