

**Petitions for Writ of Mandamus Dismissed and Memorandum Opinion filed
August 23, 2018.**



In The

Fourteenth Court of Appeals

NOS. 14-18-00192-CV and 14-18-00193-CV

IN RE FERNANDRAL HENNINGTON AND DESTINEE KEY, Relators

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
507th District Court
Harris County, Texas
Trial Court Cause No. 2018-05776**

MEMORANDUM OPINION

The relators are Fernandral Hennington and Destinee Key. The underlying suit is a petition by the Texas Department of Family and Protective Services (the Department) for protection of a child, for conservatorship, and for termination of relators' parental rights.

On March 15, 2018, relators filed separate petitions for writ of mandamus in this court requesting relief against the presiding judge of the 507th District Court of Harris County. *See* Tex. Gov't Code Ann. § 22.221 (West Supp. 2017); *see also* Tex. R. App. P. 52. In his petition Hennington asks this court to compel the judge to grant a special appearance and plea to the jurisdiction he filed in the trial court, seeking dismissal of the action. In her petition Key asks this court to compel the judge to relinquish jurisdiction. Additionally, both relators assert that the associate judge abused his discretion by orally ordering them and their attorneys to appear in court every day until Hennington and the child are present in court.

On August 14, 2018, Key filed with this court a notice suggesting that this mandamus proceeding is now moot. The notice indicates that the Department has nonsuited its action pursuant to Texas Rule of Civil Procedure 162 and that the trial court has dismissed the action without prejudice. We agree with Key that these facts render moot relators' petitions for writ of mandamus. Accordingly, we dismiss relators' petitions for writ of mandamus as moot.

PER CURIAM

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