

**Motion Granted; Petition for Writ of Mandamus Dismissed and Opinion filed  
May 4, 2021.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-20-00741-CV**

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**IN RE DOUGLAS SMITH CUSTOM HOMES, LLC; DOUGLAS EUGENE  
SMITH; AND AKEEYA NEAL, Relators**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
269th District Court  
Harris County, Texas  
Trial Court Cause No. 2020-00177**

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**MEMORANDUM OPINION**

On Monday, November 2, 2020, relators Douglas Smith Custom Homes, LLC; Douglas Eugene Smith; and Akeeya Neal filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221; *see also* Tex. R. App. P. 52. In the petition, relators ask this court to compel the Honorable Cory Don Sepolio, presiding judge of the 269th District Court of Harris County, to withdraw his October 2, 2020 order granting real party in interest's motion to lift abatement.

Because the parties have complied with the requirements of the applicable statute in this proceeding since the petition for writ of mandamus was filed, an order of statutory abatement will offer no relief to the parties. *See* Tex. Prop. Code § 27.004. Accordingly, this proceeding has been rendered moot and we must dismiss relators’ petition. *See Reule v. RLZ Investments*, 411 S.W.3d 31, 32 (Tex. App.—Houston [14th Dist.] 2013, no pet.) (“If a judgment cannot have a practical effect on an existing controversy, the case is moot, and any opinion issued on the merits on the appeal would constitute an impermissible advisory opinion.”).

We order the petition for writ of mandamus dismissed.

PER CURIAM

Panel consists of Chief Justice Christopher and Justices Wise and Hassan.