

*Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio*

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MEMORANDUM OPINION

No. 04-08-00692-CR

IN RE Jesse MENDEZ

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Catherine Stone, Justice
Karen Angelini, Justice
Phylis J. Speedlin, Justice

Delivered and Filed: October 29, 2008

PETITION FOR WRIT OF MANDAMUS DENIED AS MOOT

On September 15, 2008, relator Jesse Mendez filed a petition for writ of mandamus, seeking to compel the trial court to rule on a motion for new trial. On October 14, 2008, the trial court signed an order denying relator's motion for new trial. In light of the trial court's action, the complaint presented in relator's petition is now moot. Accordingly, the petition for writ of mandamus is denied as moot.

PER CURIAM

DO NOT PUBLISH

¹ This proceeding arises out of Cause No. 2006-CR-3128-B, styled *State of Texas v. Jesse Mendez*, in the 144th Judicial District Court, Bexar County, Texas, the Honorable Catherine Torres-Stahl presiding.