

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



MEMORANDUM OPINION

No. 04-09-00337-CR

IN RE Fred FLORES

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Karen Angelini, Justice
Phylis J. Speedlin, Justice
Marialyn Barnard, Justice

Delivered and Filed: July 1, 2009

PETITION FOR WRIT OF MANDAMUS DENIED AS MOOT

On June 8, 2009, relator Fred Flores filed a petition for writ of mandamus, seeking to compel the trial court to rule on his second motion for DNA testing filed on December 22, 2008. However, on June 16, 2009, the trial court signed an order denying relator's second motion for DNA testing. Therefore, the petition for writ of mandamus is now moot.

Accordingly, we deny the petition for writ of mandamus and all other relief requested as moot.

PER CURIAM

DO NOT PUBLISH

¹[▲](#) This proceeding arises out of Cause No. 2005-CR-8161, styled *State v. Flores*, in the 226th Judicial District Court, Bexar County, Texas, the Honorable Sid L. Harle presiding.