

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



**MEMORANDUM OPINION**

No. 04-10-00339-CV

**IN RE Antonio SILVA, Jr.**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Karen Angelini, Justice  
Santee Bryan Marion, Justice  
Rebecca Simmons, Justice

Delivered and Filed: June 9, 2010

PETITION FOR WRIT OF MANDAMUS DENIED AS MOOT

On May 3, 2010, relator Antonio Silva, Jr. filed a petition for writ of mandamus, seeking to compel the trial court to rule on his Second Motion for Judgment Nunc Pro Tunc filed on August 21, 2008. On May 7, 2010, this court requested a response from the respondent and/or real party in interest. However, on May 25, 2010 the trial court signed an order entitled "Order Clarifying Credit of Jail Time Nunc Pro Tunc," which grants the relief relator requests. As a result of the foregoing, relator's petition for writ of mandamus is DENIED AS MOOT.

PER CURIAM

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<sup>1</sup> This proceeding arises out of Cause No. K-94-000634-D3, in the 341st Judicial District Court, Webb County, Texas, the Honorable Elma T. Salinas Ender presiding.