



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00364-CV

IN THE MATTER OF THE MARRIAGE OF A.L.F.L. and K.L.L.
and In the Interest of K.A.F.L., a Child

From the 438th Judicial District Court, Bexar County, Texas
Trial Court No. 2014-CI-02421
Honorable Barbara Hanson Nellerhoe, Judge Presiding¹

PER CURIAM

Sitting: Marialyn Barnard, Justice
Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: July 29, 2015

DISMISSED AS MOOT

This is an appeal from a trial court's order denying a plea to the jurisdiction in a same-sex divorce matter. On June 30, 2015, we rendered an order that, among other things, ordered appellant to show cause why we should not dismiss this appeal as moot in light of the United States Supreme Court's decision in *Obergefell v. Hodges*. See Nos. 14-556, 14-574, 14-562, & 14-571, ___ U.S. ___ (June 26, 2015). On July 16, 2015, appellant filed a response to our order and a motion to dismiss.

Appellant seems to agree the appeal is moot in light of the *Obergefell* decision. "A case becomes moot if, since the time of filing, there has ceased to exist a justiciable controversy between

¹ The Honorable Barbara Nellerhoe retired from the bench effective December 31, 2014. She signed the orders that are the subject of this appeal prior to her retirement.

the parties — that is, if the issues presented are no longer ‘live,’ or if the parties lack a legally cognizable interest in the outcome.” *Heckman v. Williamson Cty.*, 369 S.W.3d 137, 162 (Tex. 2012); *see also Williams v. Lara*, 52 S.W.3d 171, 184 (Tex. 2000). Accordingly, we dismiss the appeal as moot. *See id.* In light of our decision to dismiss the appeal as moot, appellant’s motion to dismiss is moot, as is the motion to dismiss for want of jurisdiction filed by appellees on June 13, 2014, which was ordered carried with the case.

PER CURIAM