



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-16-00497-CR

**IN RE** Juan Robert **RODRIGUEZ**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice  
Karen Angelini, Justice  
Marialyn Barnard, Justice

Delivered and Filed: October 19, 2016

PETITION FOR WRIT OF MANDAMUS DISMISSED AS MOOT

Relator filed this petition for writ of mandamus on August 8, 2016, complaining the trial court had failed to rule on a motion nunc pro tunc Relator filed in March, 2016. On September 30, 2016, in this original proceeding, Relator filed a motion to compel discovery to which Relator attached a copy of the trial court's order, dated September 20, 2016, denying the motion nunc pro tunc. Therefore, the issue raised by the Relator in this mandamus proceeding has become moot. Accordingly, this original mandamus proceeding is dismissed as moot and Relator's motion to compel discovery is denied.

PER CURIAM

DO NOT PUBLISH

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<sup>1</sup> This proceeding arises out of Cause No. 1990CR1294, styled *State of Texas v. Juan Robert Rodriguez*, pending in the 227th Judicial District Court, Bexar County, Texas, the Honorable Kevin M. O'Connell presiding.