



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-16-00665-CR

IN RE Abelardo MARTINEZ

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Karen Angelini, Justice
Rebeca C. Martinez, Justice
Jason Pulliam, Justice

Delivered and Filed: December 7, 2016

PETITION FOR WRIT OF MANDAMUS DISMISSED AS MOOT

Relator filed this petition for writ of mandamus complaining the trial court had failed to rule on a motion for judgment nunc pro tunc in which Relator sought to have his judgment corrected to show credit for time he served prior to the date sentence was pronounced. On November 18, 2016 the trial court filed with this court two amended judgments, each dated November 14, 2016, in which additional time was credited towards Relator's sentence. Because these judgments constitute rulings upon Relator's motion, this mandamus proceeding has become moot and is, accordingly, dismissed.

PER CURIAM

DO NOT PUBLISH

¹ This proceeding arises out of Cause No. 06-09-03038-ZCR and Cause No. 06-09-03039-ZCRCLM, both styled *State of Texas v. Abelardo Martinez*, pending in the 293rd Judicial District Court, Zavala County, Texas, the Honorable Cynthia L. Muniz presiding.