



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-17-00722-CR

IN RE Benjamin ELIAS

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Patricia O. Alvarez, Justice
Irene Rios, Justice

Delivered and Filed: December 13, 2017

PETITION FOR WRIT OF MANDAMUS DISMISSED AS MOOT

Relator filed his petition for writ of mandamus on November 2, 2017, complaining that Respondent has “fail[ed] to conduct a hearing regarding Relator’s [application for] writ of habeas corpus.” On November 29, 2017, Respondent filed with this court a copy of a Notice of Hearing setting Relator’s application for writ of habeas corpus to be heard on December 22, 2017, at 9:00 am. The trial court is granting Relator the relief he seeks through this proceeding. Thus, this original mandamus proceeding is dismissed as moot.

PER CURIAM

DO NOT PUBLISH

¹ This proceeding arises out of Cause No. 427052, styled *State of Texas v. Benjamin Elias*, pending in the County Court at Law No. 12, Bexar County, Texas, the Honorable Scott Roberts presiding.