



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-17-00793-CV

IN RE Maria V. LARA and Maria A. Villarreal

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Marialyn Barnard, Justice
Luz Elena D. Chapa, Justice
Irene Rios, Justice

Delivered and Filed: December 20, 2017

PETITION FOR WRIT OF MANDAMUS DISMISSED AS MOOT

Relators filed a petition for writ of mandamus complaining of the trial court's November 30, 2017, "Order Granting Defendants' Emergency Motion to (1) Compel Deposition of Plaintiff Maria A. Villarreal; (2) Request Release of All Medical Records in Court's Possession; (3) Amend Court's Order of November 16, 2017; and (4) Compel the Production of Plaintiffs' Medical Records From Dr. Eduardo Carlos Canova." Relators asked this court to vacate the order.

On December 8, 2017, the trial court signed a "*Sua Sponte* Order Vacating Orders of November 30, 2017 and December 6, 2017 in Their Entirety and Continuing Jury Trial Date." Because the trial court's December 8, 2017 order vacated the complained-of order in its entirety, relators' petition for writ of mandamus is now moot. *See Dow Chem. Co. v. Garcia*, 909 S.W.2d

¹ This proceeding arises out of Cause No. 2016-CVT-001811-D4, styled *Maria V. Lara and Maria A. Villarreal v. Enrique Hernandez and RDZ Oilfield Lease Services, Inc.*, pending in the 406th Judicial District Court, Webb County, Texas, the Honorable Oscar J. Hale, Jr. presiding.

503, 505 (Tex. 1995) (orig. proceeding) (dismissing mandamus petition as moot because “[d]irecting the trial courts in these cases to vacate their severance orders can have no practical effect”); *In re Jackson*, No. 01-12-00020-CV, 2012 WL 405707, at *1 (Tex. App.—Houston [1st Dist.] Feb. 9, 2012, orig. proceeding) (mem. op.) (dismissing mandamus petition as moot after relator received requested relief). On December 12, 2017, relators filed a motion to dismiss their petition for writ of mandamus as moot.

Accordingly, we grant relators’ motion and dismiss relators’ petition for writ of mandamus as moot. We vacate our December 5, 2017 order staying the trial court’s November 30, 2017 order.

PER CURIAM