



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-20-00466-CR

IN RE Isidro RAMOS, III

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: October 21, 2020

PETITION FOR WRIT OF MANDAMUS DISMISSED AS MOOT

On September 17, 2020, relator filed a petition for writ of mandamus complaining of the trial court's refusal to rule on his motion for DNA testing. Relator also filed a motion for leave to file his petition.

On October 9, 2020, the respondent filed a response containing copies of its October 9, 2020 orders (1) denying relator's request for appointment of counsel pursuant to Texas Code of Criminal Procedure Chapter 64 and (2) denying relator's motion for post-conviction DNA testing. Because the trial court has ruled on relator's pending motions, relator has now received the relief requested. We, therefore, dismiss relator's petition as moot.

¹ This proceeding arises out of Cause No. 2015-CR-9685, styled *State of Texas v. Isidro Ramos, III*, pending in the 144th Judicial District Court, Bexar County, Texas, the Honorable Melissa Skinner presiding.

We deny as moot relator's request to file a petition for writ of mandamus because leave is not required to file a petition in an intermediate appellate court. *See* TEX. R. APP. P. 52.1; *In re Medina*, 04-19-00041-CR, 2019 WL 360534, at *1 (Tex. App.—San Antonio Jan. 30, 2019, no pet.).

PER CURIAM

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