



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

**MEMORANDUM OPINION**

No. 04-22-00899-CV

**IN RE Jasmine ELLIOTT**

Original Proceeding<sup>1</sup>

PER CURIAM

Sitting: Irene Rios, Justice  
Beth Watkins, Justice  
Lori I. Valenzuela, Justice

Delivered and Filed: July 5, 2023

PETITION FOR WRIT OF MANDAMUS DISMISSED

On December 29, 2022, Relator Jasmine Elliot filed a petition for writ of mandamus and an emergency motion to stay the underlying trial court proceeding. Elliot's mandamus petition seeks a writ of mandamus commanding the trial court to dismiss the underlying proceeding for lack of jurisdiction. This court granted Elliot's emergency motion and stayed the UCCJEA court conference and hearing scheduled for January 3, 2023. Additionally, this court requested responses from the trial court and Real Party in Interest De Andre Harrington. Harrington filed a response.

On January 9, 2023, Elliot filed a first amended petition for writ of mandamus and a first amended emergency motion to stay all underlying trial court proceedings. This court granted Elliot's emergency motion and stayed all proceedings in the underlying case.

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<sup>1</sup> This proceeding arises out of Cause No. 2022-CI-05165, styled *In the Interest of K.J.E., a Child*, pending in the 45th Judicial District Court, Bexar County, Texas, the Honorable Mary Lou Alvarez presiding.

On April 13, 2023, we lifted the stays in the underlying proceeding and abated this original proceeding until May 15, 2023, to allow the trial court to conduct a UCCJEA court conference and to render a ruling.

On June 2, 2023, we received notice that the trial court ordered the underlying proceeding to be dismissed, and another state, Arkansas, issued an order reciting that it is the home state of the child at the center of the underlying dispute. With this ruling, Elliot obtained the relief she seeks through her mandamus petition, rendering her petition moot. *In re Gonzalez*, No. 04-19-00225-CV, 2019 WL 1923026, at \*1 (Tex. App.—San Antonio May 1, 2019, orig. proceeding) (mem. op.). Accordingly, we dismiss Elliot’s petition as moot. Elliot’s pending motions are denied as moot. Harrington’s pending motions are denied as moot.

PER CURIAM