



**In the  
Court of Appeals  
Second Appellate District of Texas  
at Fort Worth**

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No. 02-19-00286-CR

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EX PARTE JOSHUA COOK

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On Appeal from the 30th District Court  
Wichita County, Texas  
Trial Court No. 189,591-C

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Before Sudderth, C.J.; Birdwell and Bassel, JJ.  
Memorandum Opinion by Justice Bassel

## MEMORANDUM OPINION

Applicant Joshua Cook has been indicted for murder. This is the second habeas corpus proceeding in which he challenges the pretrial bail set by the trial court. In the prior habeas corpus proceeding, we held that the trial court abused its discretion by failing to reduce a bond amount of \$750,000. Upon remand, the trial court conducted another hearing and reduced Cook's bail amount to \$300,000. In this proceeding, Cook challenges the reduced amount of his bail as still being excessive and unreasonable.

The State has filed an unopposed motion to dismiss the appeal as moot. According to the motion, Cook posted bail on November 14, 2019. The longstanding rule in Texas regarding habeas corpus is that "where the premise of a habeas corpus application is destroyed by subsequent developments, the legal issues raised thereunder are moot." *See Ex parte Guerrero*, 99 S.W.3d 852, 853 (Tex. App.—Houston [14th Dist.] 2003, no pet.) (per curiam) (citations omitted). Accordingly, we grant the State's unopposed motion and dismiss Cook's appeal as moot.

/s/ Dabney Bassel

Dabney Bassel  
Justice

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Tex. R. App. P. 47.2(b)

Delivered: November 27, 2019