



**In The  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

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No. 06-08-00112-CV

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IN RE: BILLY RAY JOHNSON,  
BY AND THROUGH NEXT FRIEND, LUE WILSON

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Original Mandamus Proceeding

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Before Morriss, C.J., Carter and Moseley, JJ.  
Memorandum Opinion by Justice Carter

## MEMORANDUM OPINION

Relator, Billy Ray Johnson, by and through next friend Lue Wilson, has filed in this Court a petition for writ of mandamus seeking review of the trial court's earlier appointment of a guardian ad litem for Johnson. His petition also contained a request for emergency relief which we deemed a motion to stay proceedings, including a hearing scheduled for October 10, 2008. We denied that motion and directed Johnson to supplement the record in this matter with the orders resulting from the October 10, 2008, hearing.

Johnson's counsel notified this Court of the events of the October 10 hearing, explaining that the orders are not yet available. Counsel represented that the parties reached a settlement of the controversies among them and that, as a result of the settlement agreement, the order appointing the guardian ad litem will be dissolved. We take these representations by counsel as facts that render moot the issues presented in the petition for writ of mandamus concerning the appointment of the guardian ad litem.

Accordingly, we dismiss as moot Johnson's petition for writ of mandamus.

Jack Carter  
Justice

Date Submitted:      October 21, 2008  
Date Decided:        October 22, 2008