



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

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No. 06-13-00042-CV

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IN RE: KEITH RUSSELL JUDD

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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

Keith Russell Judd, currently incarcerated in a Federal Correctional Institute located in Bowie County, has filed a pro se petition for writ of mandamus requesting this Court to order the Honorable Leon Pesek, Jr., the presiding judge of the 202nd Judicial District Court of Bowie County, to vacate his order threatening dismissal for want of prosecution if Judd fails to appear in person at a hearing on May 13, 2013. Judd also requests that we order Judge Pesek to grant his motion for a no-answer divorce and his motion for a no-evidence summary judgment; Judd further notes that he has filed “an Affidavit in support of No-Answer Default Judgment.” We requested a response from the respondent and have been informed a divorce was granted.

In light of the trial court’s judgment granting Judd the relief he has requested, we dismiss as moot<sup>1</sup> Judd’s petition for writ of mandamus.

Jack Carter  
Justice

Date Submitted: May 14, 2013  
Date Decided: May 15, 2013

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<sup>1</sup>See *In re Tex. Bd. of Pardons & Paroles*, 989 S.W.2d 360 (Tex. 1998) (orig. proceeding); *Dow Chem. Co. v. Garcia*, 909 S.W.2d 503, 505 (Tex. 1995) (orig. proceeding).