



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

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No. 06-18-00027-CV

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IN RE UNITED PARCEL SERVICE, INC., AND WILLIE G. SMITH

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Original Mandamus Proceeding

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

## MEMORANDUM OPINION

Relators United Parcel Service, Inc., and Willie G. Smith filed a petition for writ of mandamus challenging certain orders entered by the Honorable Brad Morin of the 71st Judicial District Court of Harrison County in trial court cause number 15-0814.

After the petition was filed, the parties reached a settlement of their disputes. Consequently, the Relators filed a motion to dismiss their mandamus petition.

“In accordance with Rule 52.8 of the Texas Rules of Appellate Procedure, an appellate court must either grant or deny the requested relief [in a mandamus proceeding].” *In re Edwards*, No. 06-12-00015-CV, 2012 WL 390021, at \*1 (Tex. App.—Texarkana Feb. 8, 2012, orig. proceeding) (mem. op.). “The Rule does not provide for a dismissal of a petition for writ of mandamus.” *Id.* (citing TEX. R. APP. P. 52.8).

Because the parties to this original proceeding have settled their disputes, this proceeding has become moot.

We deny the petition for writ of mandamus.

Ralph K. Burgess  
Justice

Date Submitted: July 16, 2018  
Date Decided: July 17, 2018