



**IN THE  
TENTH COURT OF APPEALS**

---

**No. 10-20-00298-CR**

**IN RE BRIAN DAVENPORT**

---

**ORIGINAL PROCEEDING**

**From the 19th District Court  
McLennan County, Texas  
Trial Court No. 2019-792-C1**

---

---

**MEMORANDUM OPINION**

---

---

Brian Davenport filed a petition for writ of mandamus on November 16, 2020 seeking to compel the Honorable Ralph Strother of the 19<sup>th</sup> District Court of McLennan County to rule on his request for release pursuant to Article 17.151 of the Texas Code of Criminal Procedure and his motion for speedy trial. After this original proceeding was filed, Judge Strother retired and ceased to hold office as the Judge of the 19<sup>th</sup> District Court, and the Honorable Thomas West now serves as the Judge of the 19<sup>th</sup> District Court. This Court abated the proceeding to the trial court to allow the new trial judge an opportunity to rule on Davenport's motions. Judge West entered an order denying

Davenport's motions on January 26, 2021. Accordingly, Davenport's petition for writ of mandamus filed is dismissed as moot.

JOHN E. NEILL  
Justice

Before Chief Justice Gray,  
Justice Neill, and  
Justice Johnson

Petition dismissed

Opinion delivered and filed March 10, 2021

Do not publish

[OT06]

