



NUMBER 13-10-00584-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE J. E. SAENZ & ASSOCIATES, INC.

**On Petition for Writ of Mandamus
And Emergency Motion for Stay of All Trial Court Proceedings.**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Vela
Memorandum Opinion Per Curiam¹**

Relator, J. E. Saenz & Associates, Inc., filed a petition for writ of mandamus and an emergency motion for stay of all trial court proceedings in the above cause on October 19, 2010, seeking to compel the trial court to rule on relator's "Motion to Dismiss with Prejudice" and "Motion to Stay all Proceedings." Relator has now filed a motion to dismiss this proceeding on grounds that it is moot.

¹ See TEX. R. APP. P. 52.8(d) ("When denying relief, the court may hand down an opinion but is not required to do so."); TEX. R. APP. P. 47.4 (distinguishing opinions and memorandum opinions).

The Court, having examined and fully considered relator's motion to dismiss, is of the opinion that relator has shown itself entitled to the relief sought. Accordingly, the motion to dismiss is GRANTED. The petition for writ of mandamus and emergency motion for stay of all trial court proceedings are DISMISSED AS MOOT without prejudice. See TEX. R. APP. P. 52.8(a).

PER CURIAM

Delivered and filed the
27th day of October, 2010.