



NUMBER 13-16-00291-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

**IN RE SHARYLAND UTILITIES, LP, ELECTRIC TRANSMISSION
TEXAS, LLC, AND AEP TEXAS CENTRAL COMPANY**

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

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

Relators, Sharyland Utilities, LP, Electric Transmission Texas LLC, and AEP Texas Central Company, filed petitions for writ of mandamus in the above cause seeking to vacate a temporary restraining order that prohibited relators from energizing a ninety-six mile electric transmission line. This Court granted temporary relief and requested the real party in interest, William R. Gault, to file a response to the petitions for writ of

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).

mandamus. The parties have now filed an unopposed joint motion to dismiss this cause as moot on grounds that Gault is no longer seeking the temporary restraining order and the electronic transmission line has been energized.

The Court, having examined and fully considered the joint motion to dismiss, is of the opinion that the motion should be granted. *See In re Kellogg Brown & Root, Inc.*, 166 S.W.3d 732, 737 (Tex. 2005) (“A case becomes moot if a controversy ceases to exist between the parties at any stage of the legal proceedings.”); *State Bar of Tex. v. Gomez*, 891 S.W.2d 243, 245 (Tex. 1994) (stating that, for a controversy to be justiciable, there must be a real controversy between the parties that will be actually resolved by the judicial relief sought). Accordingly, we LIFT the stay previously imposed, GRANT the joint motion to dismiss, and DISMISS this original proceeding.

PER CURIAM

Delivered and filed the
16th day of June, 2016.