



NUMBER 13-17-00503-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE CATHOLIC DIOCESE OF BROWNSVILLE

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Contreras and Hinojosa
Memorandum Opinion by Chief Justice Valdez¹**

Relator Catholic Diocese of Brownsville filed a petition for writ of mandamus seeking to vacate an order requiring it to produce discovery in alleged violation of the work product doctrine and First Amendment privilege. U.S. CONST. amend. 1; TEX. CONST. art. 1, § 8. This Court granted temporary relief and requested that the real parties in interest, John Doe 1 and Ronaldo Mitchell Chavez, or any others whose interest would

¹ See TEX. R. APP. P. 52.8(d) (“When granting relief, the court must hand down an opinion as in any other case,” but 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).

be directly affected by the relief sought, file a response to the petition for writ of mandamus. On September 26, 2017, relator filed a motion to dismiss this original proceeding on grounds that the parties have reached an agreement which resolves the dispute underlying the petition for writ of mandamus.

The Court, having examined and fully considered the petition for writ of mandamus and the motion to dismiss, is of the opinion that this original proceeding should be dismissed. See *In re Kellogg Brown & Root, Inc.*, 166 S.W.3d 732, 737 (Tex. 2005) (orig. proceeding) (“A case becomes moot if a controversy ceases to exist between the parties at any stage of the legal proceedings.”). Accordingly, we LIFT the stay previously imposed in this case. We GRANT the motion to dismiss and we DISMISS this original proceeding.

/s/ Rogelio Valdez
ROGELIO VALDEZ
Chief Justice

Delivered and filed the
27th day of September, 2017.