



NUMBER 13-19-00129-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE THE SOCIETY OF OUR LADY OF THE MOST HOLY TRINITY

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Justices Benavides, Longoria, and Hinojosa
Memorandum Opinion by Justice Hinojosa¹**

The Society of Our Lady of the Most Holy Trinity (Society) filed a petition for writ of mandamus seeking to compel the production of a settlement agreement between the plaintiff, Jane Doe, and a settling defendant, the Most Reverend Wm. Michael Mulvey, STL, D.D., Bishop of the Diocese of Corpus Christi, and His Successors in Interest, A Corporate Sole. Society has now filed a motion to withdraw its petition 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. When granting relief, the court must hand down an opinion as in any other case.”); see *also id.* R. 47.4 (distinguishing opinions and memorandum opinions).

mandamus on grounds that Doe has voluntarily produced the settlement agreement at issue. Society requests that we dismiss this original proceeding.

The Court, having examined and fully considered the petition for writ of mandamus and the motion to withdraw, is of the opinion that this matter has been rendered moot. See *City of Krum, Tex. v. Rice*, 543 S.W.3d 747, 749 (Tex. 2017) (per curiam) (stating that a case is moot when either no live controversy exists between the parties or the parties have no legally cognizable interest in the outcome); *Heckman v. Williamson Cty.*, 369 S.W.3d 137, 162 (Tex. 2012) (“Put simply, a case is moot when the court’s action on the merits cannot affect the parties’ rights or interests.”); *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, including the appeal.”). Accordingly, we GRANT Society’s motion to withdraw and we DISMISS the petition for writ of mandamus as moot. See TEX. R. APP. P. 52.8(a).

LETICIA HINOJOSA
Justice

Delivered and filed the
9th day of May, 2019.