



**NUMBER 13-21-00239-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI – EDINBURG**

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**IN RE STATE FARM LLOYDS**

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**On Petition for Writ of Mandamus.**

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**MEMORANDUM OPINION**

**Before Justices Longoria, Hinojosa, and Tijerina  
Memorandum Opinion by Justice Tijerina<sup>1</sup>**

In this original proceeding, relator State Farm Lloyds asserted that the trial court abused its discretion by compelling appraisal pursuant to an insurance policy issued to the real party in interest, Adelaida Martinez. However, State Farm Lloyds has now filed an unopposed motion to dismiss its petition for writ of mandamus on grounds that the parties have reached an agreement as to the issues presented in this original proceeding,

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<sup>1</sup> 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,” but “[w]hen granting relief, the court must hand down an opinion as in any other case”); *id.* R. 47.4 (distinguishing opinions and memorandum opinions).

and its petition for writ of mandamus “is no longer necessary.” State Farm Lloyds thus requests that we dismiss this petition for writ of mandamus.

The Court, having examined and fully considered the unopposed motion to dismiss this original proceeding, is of the opinion that it should be granted. See *Heckman v. Williamson Cnty.*, 369 S.W.3d 137, 162 (Tex. 2012) (“A case becomes moot if, since the time of filing, there has ceased to exist a justiciable controversy between the parties—that is, if the issues presented are no longer ‘live,’ or if the parties lack a legally cognizable interest in the outcome.”); *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.”); see also *In re Smith Cnty.*, 521 S.W.3d 447, 455 (Tex. App.—Tyler 2017, orig. proceeding). Accordingly, we grant State Farm Lloyds’s unopposed motion to dismiss, and we dismiss this original proceeding.

JAIME TIJERINA  
Justice

Delivered and filed on the  
17th day of September, 2021.