



NUMBER 13-21-00319-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

CARRIE M. LEO,

Appellant,

v.

**TYLER C. THOMAS AND
NICHOLAS STACEY D/B/A
FRAGILE PLANET WILDLIFE CENTER
FORMERLY KNOWN AS FRAGILE
PLANET WILDLIFE FOUNDATION,**

Appellees.

**On appeal from the 444th District Court
of Cameron County, Texas.**

MEMORANDUM OPINION

**Before Justices Benavides, Longoria, and Tijerina
Memorandum Opinion by Justice Tijerina**

On September 20, 2021, appellant Carrie M. Leo appealed the trial court's default judgment. By one issue, appellant contends that the trial court improperly determined that she is not indigent. We dismiss this appeal as moot.

The record shows that during the pendency of this appeal, on October 28, 2021, the trial court signed a final judgment finding appellant indigent thereby granting the relief she seeks in this appeal. Thus, appellant's issue complaining of the trial court's failure to find her indigent has been remedied, and we conclude that this appeal is therefore moot. *See Flamingo Permian Oil & Gas, L.L.C. v. Star Expl., L.L.C.*, 569 S.W.3d 329, 331 (Tex. App.—El Paso 2019, no pet.) (dismissing an appeal as moot when the three complained-of appellate issues were remedied by the trial court's issuance of a subsequent order executed while the appeal was pending); *State v. Garza*, 774 S.W.2d 724, 727 (Tex. App.—Corpus Christi—Edinburg 1989, pet. ref'd) ("It is axiomatic that a cause becomes moot when the appellate court's judgment cannot have any practical legal effect upon a controversy.").

We dismiss the appeal as moot.

JAIME TIJERINA
Justice

Delivered and filed on the
10th day of November, 2021.