



NUMBER 13-22-00270-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

IN RE JANIE YOUNG

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Longoria and Tijerina
Memorandum Opinion by Justice Tijerina¹**

On June 13, 2022, relator Janie Young filed a petition for writ of mandamus asserting that the trial court abused its discretion “by unreasonably failing to comply with its December 4, 2020 order and delaying a ruling on the discoverability of medical records submitted for in camera inspection.” However, relator has now filed a motion to dismiss this original proceeding on grounds that the trial court has signed an order ruling on the

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.”); *id.* R. 47.4 (distinguishing opinions and memorandum opinions).

discoverability of the medical records, and the petition for writ of mandamus is now moot. Accordingly, relator asks that we dismiss the petition for writ of mandamus.

The Court, having examined and fully considered the relator's motion to dismiss, is of the opinion that it should be granted. See *Heckman v. Williamson County*, 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 County*, 521 S.W.3d 447, 453–55 (Tex. App.—Tyler 2017, orig. proceeding). Accordingly, we grant relator's motion to dismiss, and we dismiss this petition for writ of mandamus as moot.

JAIME TIJERINA
Justice

Delivered and filed on the
15th day of June, 2022.