

**NO. 12-09-00231-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

*IN RE: CONTRACTOR'S SUPPLIES, INC.,  
RELATOR*

§

§ *ORIGINAL PROCEEDING*

§

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***MEMORANDUM OPINION  
PER CURIAM***

On August 17, 2009, this court delivered an opinion conditionally granting the petition for writ of mandamus filed by John Oaks as relator. That opinion ordered Respondent to vacate his order granting John Oaks's petition for presuit deposition and request to shorten the required notice period, signed on July 24, 2009, and issue an order denying John Oaks's petition for presuit deposition. On September 1, 2009, this court received an order from Respondent that complied with this court's order and opinion of July 24, 2009.

All issues attendant to this original proceeding having been disposed of, this mandamus proceeding has now been rendered moot; therefore, the writ need not issue. Accordingly, this original proceeding is *dismissed*.

Opinion delivered September 2, 2009.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*

(PUBLISH)