

**NO. 12-10-00086-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

§

***IN RE: KATHERINE K. FACKRELL,  
INDIVIDUALLY; KATHERINE K.  
FACKRELL, ON BEHALF OF GEAUX  
CORPORATION; AND GEAUX  
CORPORATION, RELATORS***

§ ***ORIGINAL PROCEEDING***

§

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***MEMORANDUM OPINION  
PER CURIAM***

On August 17, 2010, this court issued an opinion and order in this proceeding conditionally granting the relators' petition for writ of mandamus and directing the respondent to vacate the portion of its December 21, 2009, order granting death penalty sanctions.

We have been furnished a copy of the respondent's order signed on August 20, 2010, issued in compliance with this court's opinion and order of August 17, 2010. Thus, this original proceeding is now moot. Accordingly, this original proceeding is *dismissed*.

Opinion delivered September 1, 2010.

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

(PUBLISH)