

NO. 12-13-00342-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*IN RE:*

§

*MICHAEL WAYNE FALKNER,*

§

*ORIGINAL PROCEEDING*

*RELATOR*

§

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*MEMORANDUM OPINION  
PER CURIAM*

On December 20, 2013, this court delivered an opinion conditionally granting the petition for writ of mandamus filed by Michael Wayne Falkner. That opinion directed Respondent to vacate his order signed on November 8, 2013, granting the motion to transfer filed by the real party in interest, Charlotte Mae Pierce. Respondent has complied with our order and opinion of December 20, 2013.

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, we lift our November 19, 2013 stay and *dismiss* this original proceeding as *moot*.

Opinion delivered January 22, 2014.

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

(DO NOT PUBLISH)



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

JANUARY 22, 2014

NO. 12-13-00342-CV

**MICHAEL WAYNE FALKNER,**

Relator

v.

**HON.DEREK C. FLOURNOY,**

Respondent

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#### ORIGINAL PROCEEDING

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ON THIS DAY came to be heard the petition for writ of mandamus filed by, **MICHAEL WAYNE FALKNER**, who is the respondent in Cause No. CV-02730-13-10, pending on the docket of the County Court at Law #2 of Angelina County, Texas. Said petition for writ of mandamus having been filed herein on November 15, 2013, and the same having been duly considered, because it is the opinion of this Court that this original proceeding should be dismissed as moot, it is therefore **CONSIDERED, ADJUDGED and ORDERED** that the said petition for writ of mandamus be, and the same is, hereby **DISMISSED AS MOOT**.

By *per curiam* opinion.

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