

**NO. 12-14-00329-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

***IN RE: TARRANT REGIONAL*** §  
***WATER DISTRICT, A WATER*** §  
***CONTROL AND IMPROVEMENT*** § ***ORIGINAL PROCEEDING***  
***DISTRICT,***  
***RELATOR*** §

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***MEMORANDUM OPINION***  
***PER CURIAM***

On February 11, 2015, this Court granted mandamus relief and ordered the trial court to vacate its October 17, 2014 order refusing to appoint special commissioners in the underlying condemnation suit. *See In re Tarrant Reg'l Water Dist.*, No. 12-14-00329-CV, 2015 WL 545783, at \*3 (Tex. App.–Tyler Feb. 11, 2015, orig. proceeding). The trial court complied with this Court's opinion and order, and the original proceeding was dismissed as moot. *See In re Tarrant Reg'l Water Dist.*, No. 12-14-00329-CV, 2015 WL 852349, at \*1 (Tex. App.–Tyler Feb. 27, 2015, orig. proceeding) (mem. op.) (per curiam).

By opinion dated May 27, 2016, the Supreme Court of Texas conditionally granted mandamus relief from this Court's decision. *See In re Lazy W Dist. No. 1*, No. 15-0117, 2016 WL 3157559, at \*4 (Tex. May 27, 2016) (orig. proceeding). Accordingly, we vacate our February 27, 2015 judgment of dismissal and our February 11, 2015 opinion and corresponding order conditionally granting mandamus relief. We *deny* the petition for writ of mandamus filed by Tarrant Regional Water District on November 10, 2014.

Opinion delivered June 30, 2016.

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

(PUBLISH)



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

JUNE 30, 2016

NO. 12-14-00329-CV

**TARRANT REGIONAL WATER DISTRICT,  
A WATER CONTROL AND IMPROVEMENT DISTRICT,**

Relator

V.

**HON. JOE D. CLAYTON,**

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 **TARRANT REGIONAL WATER DISTRICT, A WATER CONTROL AND IMPROVEMENT DISTRICT**, who is the relator in Cause No. 2014C-0144, pending on the docket of the 3rd Judicial District Court of Henderson County, Texas. Said petition for writ of mandamus having been filed herein on November 10, 2014, and the same having been duly considered, because it is the opinion of this Court that a writ of mandamus should not issue, it is therefore **CONSIDERED, ADJUDGED and ORDERED** that the said petition for writ of mandamus be, and the same is, hereby **DENIED**.

By *per curiam* opinion.

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