

**NO. 12-18-00285-CV**  
**IN THE COURT OF APPEALS**  
**TWELFTH COURT OF APPEALS DISTRICT**  
**TYLER, TEXAS**

*IN RE:* §  
*CITY OF TATUM, TEXAS,* § *ORIGINAL PROCEEDING*  
*RELATOR* §

---

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

Relator, the City of Tatum, Texas, filed this original proceeding to challenge an order authorizing pre-suit discovery under Texas Rule of Civil Procedure 202. On December 21, 2018, this Court conditionally granted Relator’s petition and directed Respondent, the Honorable J. Clay Gossett of the 4th District Court in Rusk County, Texas, to vacate his order granting the petition to perpetuate testimony filed by Real Party in Interest Linda C. Peterson. By an order signed on December 31, Respondent complied with this Court’s opinion and order, rendering this proceeding moot. Accordingly, we dismiss Relator’s petition for writ of mandamus as *moot*. We *lift* the stay of proceedings issued on October 23, 2018.

Opinion delivered January 9, 2019.

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

(PUBLISH)



**COURT OF APPEALS**  
**TWELFTH COURT OF APPEALS DISTRICT OF TEXAS**  
**JUDGMENT**

**JANUARY 9, 2019**

**NO. 12-18-00285-CV**

**CITY OF TATUM, TEXAS,**  
Relator  
V.

**HON. J. CLAY GOSSETT,**  
Respondent

---

---

**ORIGINAL PROCEEDING**

---

---

ON THIS DAY came to be heard the petition for writ of mandamus filed by City of Tatum, Texas; who is the relator in Cause No. 2018-205, pending on the docket of the 4th Judicial District Court of Rusk County, Texas. Said petition for writ of mandamus having been filed herein on October 22, 2018, and the same having been duly considered, because it is the opinion of this Court that the writ should not issue, 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., Hoyle, J. and Neeley, J.*