

NO. 12-19-00144-CV
IN THE COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT
TYLER, TEXAS

<i>IN RE: OLD REPUBLIC RISK MANAGEMENT, OLD REPUBLIC INSURANCE COMPANY, THORNTON, BIECHLIN, REYNOLDS & GUERRA, L.C., TIMOTHY K. SINGLEY AND DANA M. GANNON, RELATORS</i>	§ § §	<i>ORIGINAL PROCEEDING</i>
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***MEMORANDUM OPINION
PER CURIAM***

Relators, Old Republic Risk Management, Old Republic Insurance Company, Thornton, Biechlin, Reynolds, and Guerra, L.C., Timothy K. Singley, and Dana M. Gannon, filed this original proceeding to challenge Respondent’s denial of their plea to the jurisdiction and motion to dismiss.¹ Debra Morris, Individually and as representative of the Estate of Kenneth W. Morris, Ashley Bialowas f/k/a Ashley Morris, Amanda Morris Wright, Jimmy Williams, Rebecca Williams, Orlando Ordaz, and Roy McCollough are the Real Parties in Interest (RPIs).

On June 12, 2019, this Court conditionally granted Relators’ petition and directed Respondent to vacate his March 18, 2019, order denying Relators’ plea to the jurisdiction and issue an order (1) granting the plea to the jurisdiction with respect to the RPIs’ claims for fraudulent lien, insurance code violations, fraud, independent fraudulent acts by lawyer/law firm, and conspiracy to assert fraudulent lien; and (2) abating the trial court proceeding pending the Division of Workers’ Compensation’s resolution of whether Old Republic is entitled to seek administrative costs as part of its subrogation claim and whether the amount of benefits paid has been wrongfully inflated. By an order signed on June 14, Respondent complied with this Court’s opinion and order,

¹ Respondent is the Honorable Paul E. White, Judge of the 159th District Court in Angelina County, Texas.

rendering this proceeding moot. Accordingly, we dismiss Relators' petition for writ of mandamus as *moot*.

Opinion delivered June 28, 2019.

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

(PUBLISH)



COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT

JUNE 28, 2019

NO. 12-19-00144-CV

**OLD REPUBLIC RISK MANAGEMENT, OLD REPUBLIC INSURANCE COMPANY,
THORNTON, BIECHLIN, REYNOLDS & GUERRA, L.C., TIMOTHY K. SINGLEY
AND DANA M. GANNON,**

Relators

V.

HON. PAUL E. WHITE,

Respondent

ORIGINAL PROCEEDING

ON THIS DAY came to be heard the petition for writ of mandamus filed by Old Republic Risk Management, Old Republic Insurance Company, Thornton, Biechlin, Reynolds & Guerra, L.C., Timothy K. Singley, and Dana M. Gannon; who are the relators in appellate cause number 12-19-00144-CV and defendants in trial court cause number CV-00050-18-1, on the docket of the 159th Judicial District Court of Angelina County, Texas. Said petition for writ of mandamus having been filed herein on April 16, 2019, 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.