

NO. 12-19-00372-CV
IN THE COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT
TYLER, TEXAS

IN RE: §
BRIAN A. SMALE, § *ORIGINAL PROCEEDING*
RELATOR §

MEMORANDUM OPINION
PER CURIAM

Brian A. Smale, Relator, acting pro se, filed a petition for writ of mandamus seeking to compel Respondent to vacate orders dismissing Wood County Commissioner’s Court and Wood County, and severing those parties into a separate cause of action.¹ On April 30, 2020, this Court conditionally granted the petition and directed Respondent to vacate his October 25, 2019 severance order. By an order signed on May 4, Respondent complied with this Court’s opinion and order, rendering this proceeding moot. Accordingly, we dismiss the petition for writ of mandamus as *moot*.

Opinion delivered May 6, 2020.

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

¹ Respondent is the Honorable Jeffrey Fletcher, Judge of the 402nd Judicial District Court of Wood County, Texas. Wood County Texas, Wood County Commissioners Court, and Glen Thurman, a/k/a Glen Thurman Builder, Inc., a/ka/ Rose Hill Springs Development, LLC are the Real Parties in Interest.



COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT

MAY 6, 2020

NO. 12-19-00372-CV

BRIAN A. SMALE,
Relator
V.

HON. JEFFREY FLETCHER,
Respondent

ORIGINAL PROCEEDING

ON THIS DAY came to be heard the petition for writ of mandamus filed by Brian A. Smale; who is the relator in appellate cause number 12-19-00372-CV and plaintiff in trial court 2019-483, pending on the docket of the 402nd Judicial District Court of Wood County, Texas. Said petition for writ of mandamus having been filed herein on November 12, 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.