

NO. 12-22-00309-CV
IN THE COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT
TYLER, TEXAS

IN RE: SALTER CREEK RESOURCES, §
LLC, ROSE ROCK MIDSTREAM §
CRUDE, LLC, AND SEMGREEN L.P., § ORIGINAL PROCEEDING
RELATORS

§

MEMORANDUM OPINION
PER CURIAM

Salter Creek Resources, LLC, Rose Rock Midstream Crude, LLC, and SemGreen, L.P. filed this original proceeding to challenge Respondent’s order compelling production of an email.¹ Relators filed an unopposed motion to dismiss this proceeding on grounds that the parties reached an agreement concerning the subject matter of the mandamus petition. Accordingly, we **grant** the motion and **dismiss** the petition for writ of mandamus. See TEX. R. APP. P. 42.1. In accordance with the parties’ agreement, costs are taxed against the party incurring same. All pending motions are **overruled as moot**. We **lift** our stay of December 2, 2022.

Opinion delivered December 14, 2022.
Panel consisted of Worthen, C.J., Hoyle, J., and Neeley, J.

¹ Respondent is the Honorable Kerry L. Russell, Judge of the 7th District Court in Smith County, Texas. BKEP Pipeline, LLC and ExxonMobil Pipeline Company are the Real Parties in Interest.



COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT

DECEMBER 14, 2022

NO. 12-22-00309-CV

**SALTER CREEK RESOURCES, LLC, ROSE ROCK MIDSTREAM CRUDE,
LLC, AND SEMGREEN L.P.,**
Relators
V.

HON. KERRY L. RUSSELL,
Respondent

ORIGINAL PROCEEDING

ON THIS DAY came to be heard the petition for writ of mandamus filed by Salter Creek Resources, LLC, Rose Rock Midstream Crude, LLC, and SemGreen L.P.; who are the relators in appellate cause number 12-22-00309-CV and the defendants in trial court cause number 21-0374-A, pending on the docket of the 7th Judicial District Court of Smith County, Texas. Said petition for writ of mandamus having been filed herein on December 2, 2022, 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**.

By per curiam opinion.

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