

DISMISS and Opinion Filed August 4, 2021



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-21-00393-CV

IN RE SHERRY BEARD, Relator

**Original Proceeding from the 193rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. DC-20-04466**

MEMORANDUM OPINION

Before Justices Myers, Partida-Kipness, and Carlyle
Opinion by Justice Partida-Kipness

Before the Court is relator's May 28, 2021 petition for writ of mandamus in which she challenges the trial court's order compelling discovery. In her petition, relator argues that the trial court abused its discretion because all discovery must be automatically stayed while the parties' motions to dismiss pursuant to the Texas Citizens Participation Act are pending.

In its June 21, 2021 letter, which we construe as a motion to dismiss, real party in interest advises us that this original proceeding has been rendered moot by the trial court's denial of the TCPA motions. We grant the motion and dismiss the

original proceeding as moot. We also lift the May 28, 2021 stay order issued by this Court.

/Robbie Partida-Kipness/
ROBBIE PARTIDA-KIPNESS
JUSTICE

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