

COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS

In re Irving Long Term Care, LLC d/b/a Las Brisas Rehabilitation & Wellness Suites and THI of Texas, LLC

No. 05-21-00141-CV (Tex. App.—Dallas Aug. 6, 2021) · No. No. 05-21-00141-CV · Decided August 6, 2021

SUMMARY

The Fifth District Court of Appeals of Texas reinstated an original proceeding challenging an order compelling discovery. After the parties resolved the matter, the court granted the relators' motion to dismiss, dismissed the petition for writ of mandamus, and lifted the stay.

OPINION

PER CURIAM.

Dismissed and Opinion Filed August 6, 2021 In The Court of Appeals Fifth District of Texas at Dallas No. 05-21-00141-CV IN RE IRVING LONG TERM CARE, LLC D/B/A LAS BRISAS REHABILITATION & WELLNESS SUITES AND THI OF TEXAS, LLC, Relators Original Proceeding from the 192nd Judicial District Court Dallas County, Texas Trial Court Cause No. DC-20-12843-K MEMORANDUM OPINION Before Justices Molberg, Partida-Kipness, and Reichek Opinion by Justice Molberg This case is reinstated.

Relators' March 4, 2021 petition for writ of mandamus challenges the trial court's February 26, 2021 order granting real parties in interest's motion to compel discovery. On April 22, 2021, we abated the case because two of the defendants removed the underlying suit to federal court. By letter dated August 3, 2021, which we will construe as a motion to reinstate and dismiss, relators ask us to remove this matter from the Court's docket because the parties have resolved this matter.

We grant the motion and dismiss the petition. We also lift the stay issued by this Court's March 15, 2021 order. /Ken Molberg// 210141f.p05 KEN MOLBERG JUSTICE –2–