

COURT OF APPEALS OF TEXAS, FOURTH DISTRICT, SAN ANTONIO

In re R. Wayne Johnson

No. 04-18-00641-CV · No. 04-18-00641-CV · Decided October 4, 2018

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas October 4, 2018 No. 04-18-00641-CV IN RE R. Wayne JOHNSON Original Mandamus Proceeding1 ORDER Sitting: Karen Angelini, Justice Marialyn Barnard, Justice Patricia O. Alvarez, Justice On August 27, 2018, the underlying case was removed to federal court.

On September 19, 2018, this court issued an order abating this mandamus proceeding and removing the proceeding from this court's active docket. This proceeding will be reinstated only upon the filing of a certified copy of a remand order from the federal court.

On October 1, 2018, relator filed a pro se "Amended Writ of Mandamus." Because the underlying case has been removed to federal court, this court may "proceed no further unless and until the case is remanded." Meyerland Co. v. F.D.I.C., 848 S.W.2d 82, 83 (Tex. 1993) (quoting 28 U.S.C. § 1446(d)) (order).

Therefore, this court may not take any action on the "Amended Writ of Mandamus." It is so ORDERED on this 4th day of October, 2018. PER CURIAM ATTESTED TO:

KEITH E. HOTTLE, Clerk of Court 1 This proceeding arises out of Cause No. 2018CVK001331D3, styled R. Wayne Johnson v. Peter O'Rourke, et al., pending in the 341st Judicial District Court, Webb County, Texas, the Honorable Rebecca Ramirez Palomo presiding.