

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

**In re DT Lifestyle, L.L.C.; Cimarron Hills Development L.L.C.;  
Cimarron 2009, L.L.C.; Cimarron Hills 2009, L.P.; Cimarron TX  
2009, L.P.; Gary Elbogen; Daniel S. Smith; Matt Guley; and Chris  
Hill**

No. 03-16-00356-CV (Tex. App.—Austin July 15, 2016) · No. No. 03-16-00356-CV · Decided July 15, 2016

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OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-16-00356-CV In re DT Lifestyle, L.L.C.; Cimarron Hills Development L.L.C.; Cimarron 2009, L.L.C.; Cimarron Hills 2009, L.P.; Cimarron TX 2009, L.P.; Gary Elbogen; Daniel S. Smith; Matt Guley; and Chris Hill ORIGINAL PROCEEDING FROM WILLIAMSON COUNTY MEMORANDUM OPINION Relators seek mandamus relief from a May 17, 2016 order in which the trial court granted a motion to compel discovery filed by the real parties in interest, who are the plaintiffs below.

On June 8, 2016, after relators filed this original proceeding, the trial court amended its discovery order to omit relief with regard to plaintiffs' requests nos. 26 and 27 of their fourth requests for production. The trial court also modified its order with respect to request No. 32.

Because the trial court amended its order to omit relief on plaintiffs' requests 26 and 27, relators' petition with respect to those requests is dismissed as moot. Based on the record presented to us with respect to the remainder of the trial court's order, we cannot conclude that the trial court abused its discretion.

Accordingly, the petition for writ of mandamus is denied. See Tex. R. App. P. 52.8(a).

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Scott K. Field, Justice Before Justices  
Puryear, Goodwin, and Field Filed: July 15, 2016 2