

COURT OF APPEALS OF THE EIGHTH DISTRICT OF TEXAS AT EL PASO

In re Rafael Guillen

No. 08-26-00090-CR · No. No. 08-26-00090-CR · Decided May 7, 2026

SUMMARY

The Eighth District Court of Appeals of Texas dismissed as moot Rafael Guillen’s petition for writ of mandamus. The court had abated the proceeding to allow the successor judge of the 205th District Court of El Paso County to rule on Guillen’s motion for judgment nunc pro tunc; the successor judge granted the motion, eliminating the need for mandamus relief.

OPINION

PER CURIAM.

COURT OF APPEALS EIGHTH DISTRICT OF TEXAS EL PASO, TEXAS No. 08-26-00090-CR In re Rafael Guillen, Relator AN ORIGINAL PROCEEDING IN MANDAMUS M E M O R A N D U M O P I N I O N In this original proceeding, Relator Rafael Guillen seeks mandamus relief for the trial court’s failure to enter a ruling on his “Motion for Judgment Nunc Pro Tunc,” directed at the Honorable Kathleen H. Olivares of the 205th District Court of El Paso County, Texas.

The Honorable Francisco X. Dominguez became the successor judge of the 205th District Court and is now presiding over the underlying matter. We abated Relator’s petition for writ of mandamus on February 26, 2026. to allow the trial court’s successor judge to consider Relator’s motion. See Tex. R. App. P. 7.2(b) (“If the case is an original proceeding under Rule 52, the court must abate the proceeding to allow the successor to reconsider the original party’s decision.”).

On April 27, 2026, the trial court’s successor judge signed an order granting Relator’s “Motion for Judgment Nunc Pro Tunc.” We reinstate the appeal and dismiss as moot the petition for writ of mandamus. MARIA SALAS MENDOZA, Chief Justice May 7, 2026 Before Salas Mendoza, C.J., Palafox and Soto, JJ. (Do Not Publish) 2