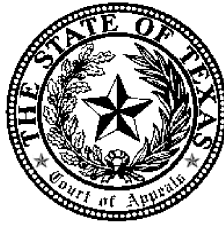


**Dismissed and Opinion filed October 11, 2001.**



**In The**  
**Fourteenth Court of Appeals**

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**NO. 14-01-00756-CR**

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**RICHARD DAVID FOTEH, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the County Criminal Court at Law No. 15  
Harris County, Texas  
Trial Court Cause No. 1070231**

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**OPINION**

Richard David Foteh appeals the trial court's denial of his application for writ of habeas corpus. Appellant was charged with violation of a protective order and his bond was set at \$100,000. Appellant filed an application for writ of habeas corpus seeking a reduction in his bond pending trial. The trial court granted appellant's application for writ of habeas corpus and set appellant's bond at \$20,000. Appellant contends his bond is excessive and appeals from that ruling. Because appellant's appeal is now moot, we dismiss.

On September 25, 2001, following a trial on the merits, appellant was acquitted of the underlying offense. Because appellant is no longer under restraint from the trial court's

ruling, the ruling on the issue of pretrial bail is moot. *See Smith v. State*, 848 S.W.2d 891, 893 (Tex. App.—Houston [14<sup>th</sup> Dist.] 1993, pet. ref'd).

Accordingly, this appeal is dismissed.

PER CURIAM

Judgment rendered and Opinion filed October 11, 2001.

Panel consists of Justices Yates, Edelman, and Wittig.

Do Not Publish — TEX. R. APP. P. 47.3(b).