



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-19-00208-CV

J.K. IVEY,
Appellant

v.

TODD MARQUARDT LAW FIRM and Shumway Van Law Firm,
Appellees

From the 288th Judicial District Court, Bexar County, Texas
Trial Court No. 2018CI24208
Honorable Monique Diaz, Judge Presiding

PER CURIAM

Sitting: Luz Elena D. Chapa, Justice
Irene Rios, Justice
Liza A. Rodriguez, Justice

Delivered and Filed: May 13, 2020

DISMISSED AS MOOT

This is an interlocutory appeal from the trial court's March 19, 2019 order issuing a temporary injunction. In his brief, Appellant J. K. Ivey complains that the trial court erred in issuing the temporary injunction. Recently, Appellee Shumway Van filed a copy of the trial court's January 8, 2020 Agreed Order Vacating Injunction, which vacated its March 19, 2019 temporary injunction. Because it appeared that this appeal was now moot, we ordered appellant to show cause why this appeal should not be dismissed as moot. *See* TEX. R. APP. P. 42.3(a), (c), 43.2(f); *see also* *McDowell v. McDowell*, No. 02-16-00038-CV, 2016 WL 4141029, at *2 (Tex. App.—Fort Worth

Aug. 4, 2016, no pet.) (mem. op.) (dismissing appeal as moot because temporary injunction at issue had been vacated by trial court); *Momentum Capital Funding, LLC v. Dill*, No. 04-16-00039-CV, 2016 WL 3031059, at *1 (Tex. App.—San Antonio May 25, 2016, no pet.) (mem. op.) (same). In response to our show cause order, appellant filed a “Consent to Dismissal,” agreeing that the temporary injunction that formed the basis of this appeal has been vacated and there is no live controversy between the parties.

We therefore dismiss this appeal as moot.

PER CURIAM