

Dismissed and Opinion filed August 10, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-00641-CV

ROBERT PINA AND JR WINGS, INC., Appellants

V.

DEN-DOL, INC., Appellee

**On Appeal from the County Court at Law No. 2
Brazos County, Texas
Trial Court Cause No. 48,893**

O P I N I O N

This is an attempted appeal from an interlocutory order granting a temporary injunction, signed May 9, 2000.

On June 12, 2000, appellee filed a motion to enforce the temporary injunction and for expedited referral to the trial court pursuant to TEX. R. APP. P. 29.4. On June 15, 2000, we issued an order referring the enforcement proceeding to the trial court and directing the trial court either to hear evidence and grant the appropriate relief or make findings and recommendations and report them to us.

On July 11, 2000, appellants filed a motion to dissolve the May 9th temporary injunction order and to reverse and render. Attached to this motion was the trial court's order, signed June 29, 2000, stating the trial court's finding that the conduct sought to be enjoined in the May 9th temporary injunction order was vague, indefinite and not specific enough to enforce through contempt. Accordingly, the June 29th order denied appellee's motion to enforce the temporary injunction. Based on this order, appellants requested that we dissolve the temporary injunction and reverse and render judgment in favor of appellants.

On July 14, 2000, the trial judge filed a letter stating that a hearing on appellee's motion to amend the May 9th order was begun, but had been continued to allow additional argument, affidavits and objections. The trial court advised that it would forward any rulings as soon as the rulings were made. On July 20, 2000, appellee filed a motion to stay the filing of appellants' motion to dissolve based on the trial court's hearing of the motion to amend the May 9th order. On July 28, 2000, the trial court faxed a copy of its amended order granting a temporary injunction.

The May 9, 2000, order appealed from has effectively been withdrawn because it was superseded by the July 28, 2000 order. Therefore, this appeal is moot.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed August 10, 2000.

Panel consists of Justices Fowler, Edelman, and Hudson.

Do Not Publish — TEX.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