

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00330-CV

IN RE ANTHONY LEON SUMMERS

Original Proceeding

MEMORANDUM OPINION

A petition for writ of mandamus filed by Anthony Leon Summers seeks to compel the compliance with the state and federal constitutions and state penal laws by several state officials and employees, including Texas Department of Criminal Justice Director Brad Livingston, Texas Department of Criminal Justice Deputy Director Bryan Collier, Inspector General John M. Moriarty, Warden Richard K. Alford, Warden Gene A. Kroll, Captain Felix O. Gordon, Captain William J. Pittman, Captain Thomas A. Cordle Jr., Major Keith E. Gorsuch, Debra M. Harrell, Felecia A. Davis, and Becky Price.¹ Other

¹Summers may have filed a petition with this Court in an attempt to avoid a vexatious litigant pre-filing order. *See* Tex. Civ. Prac. & Rem. Code Ann. § 11.101 (West 2002). He neither describes any attempt to acquire permission to file litigation nor identifies a local administrative judge from whom he has sought relief. *See* Tex. Civ. Prac. & Rem. Code Ann. § 11.102 (West 2002).

than to protect the jurisdiction of the Court of Appeals, this Court's mandamus jurisdiction does not extend to persons who are not judges of a district or county court in our district. *See* Tex. Gov't Code Ann. § 22.221 (West 2004). The persons identified in the petition are not persons against whom we may issue a writ of mandamus other than to enforce our jurisdiction, and Summers has not shown how our jurisdiction has been implicated here. *Compare In re Washington*, 7 S.W.3d 181, 182 (Tex. App.—Houston [1st Dist.] 1999, orig. proceeding) *with In re Jon*, 97 S.W.3d 870, 871 (Tex. App.—Texarkana 2003, orig. proceeding). Accordingly, we deny the petition without reference to the merits.

PETITION DENIED.

PER CURIAM

Opinion Delivered July 14, 2011
Before McKeithen, C.J., Gaultney and Horton, JJ.