



**IN THE
TENTH COURT OF APPEALS**

No. 10-22-00120-CV

IN RE MARCIE LYNN DUTSCHMANN SCHRECK

**From the 414th District Court
McLennan County, Texas
Trial Court No. 2021-3814-5**

Original Proceeding

MEMORANDUM OPINION

In her petition for writ of mandamus filed on April 26, 2022, relator, Marcie Lynn Dutschmann Schreck, seeks to compel certain actions by the Honorable Vicki L. Menard, Judge of the 414th District Court, and McLennan County District Clerk Jon R. Gimble. After review, we deny relator's April 26, 2022 petition for writ of mandamus as to Judge Menard.¹

¹ In light of our disposition of this proceeding, the Court withdraws its request for a response. Furthermore, all pending motions are dismissed as moot.

With regard to the district clerk, we dismiss relator's April 26, 2022 petition for writ of mandamus. *See In re Smith*, 263 S.W.3d 93, 95 (Tex. App.—Houston [1st Dist.] 2006, orig. proceeding) (noting that appellate courts do not have jurisdiction to issue a writ of mandamus against a district clerk unless such is necessary to enforce the jurisdiction of the appellate court); *see also* TEX. GOV'T CODE ANN. § 22.221(a)-(b).

STEVE SMITH
Justice

Before Chief Justice Gray,
Justice Johnson,
and Justice Smith

Petition denied

Opinion delivered and filed May 11, 2022

[OT06]

