

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00617-CV

In re Keith Russell Judd

ORIGINAL PROCEEDING FROM TRAVIS COUNTY

MEMORANDUM OPINION

Keith Russell Judd, an inmate in federal prison, has filed a pro se petition for writ of mandamus, asking this Court to compel the district court to rule on his various motions for declaratory and injunctive relief against the Texas Secretary of State. Judd has failed to provide copies of these motions or specify when they were filed, but he claims in his petition that the motions relate to his unsuccessful attempt in 2011 to be placed “on the State’s 2012 Presidential Primary Election Ballot as a Democratic Candidate for President of the United States,” to remove President Barack Obama from that ballot for being “not a natural born citizen,” and “to allow all convicted and incarcerated felons to vote” in the 2012 elections.

Judd filed a similar petition for writ of mandamus in 2011, which this Court denied because, on the record provided, we could not determine whether the district court had abused its discretion in regard to any pending motion or whether Judd would lack an adequate appellate remedy in that event. *See In re Judd*, No. 03-11-00690-CV, 2011 Tex. App. LEXIS, at *1 (Tex. App.—Austin Nov. 16, 2011, orig. proceeding) (mem. op.). We similarly cannot determine

on this record whether Judd is entitled to mandamus relief. For this and other reasons, we deny Judd's petition for writ of mandamus. *See* Tex. R. App. P. 52.8(a).

Bob Pemberton, Justice

Before Justices Puryear, Pemberton and Henson

Filed: December 7, 2012