

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-13-00009-CV

In re Edward Roy Newsome

ORIGINAL PROCEEDING FROM TRAVIS COUNTY

MEMORANDUM OPINION

Edward Roy Newsome, an inmate in the Texas Department of Criminal Justice, has filed a document entitled *Petition to File Writ of Mandamus*. Newsome names “John Joseph Sutter et. al” as the Respondent in the style of the case. It appears that Mr. Sutter previously represented Newsome in a personal injury lawsuit in Harris County, Texas. Within the petition, Newsome appears to complain about an order granting summary judgment in a lawsuit he filed against Mr. Sutter. In the petition Newsome also complains about the denial of “habeas corpus and civil right lawsuit” by United States District Judge Sim Lake as well as the denial of a recusal motion.

By statute, this Court has the authority to issue a writ of mandamus against “a judge of a district or county court in the court of appeals district” and other writs as necessary to enforce our appellate jurisdiction. *See* Tex. Gov’t Code Ann. § 22.221 (West 2004). Neither Mr. Sutter nor Judge Lake are parties against whom we may issue a writ of mandamus. Nor has Newsome demonstrated that the exercise of our writ power is necessary to enforce our jurisdiction. Thus, we have no jurisdiction to grant Newsome the relief he apparently seeks.

Accordingly, we dismiss Newsome’s petition for want of jurisdiction.

J. Woodfin Jones, Chief Justice

Before Chief Justice Jones, Justices Goodwin and Field

Filed: January 18, 2013