

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-13-00078-CV

In re Wardell Moore

ORIGINAL PROCEEDING FROM FAYETTE COUNTY

MEMORANDUM OPINION

Relator Wardell Moore has filed a pro se petition for writ of mandamus in this Court. *See* Tex. Gov't Code Ann. § 22.221 (West 2004); *see also* Tex. R. App. P. 52.1. In his petition, Moore asks this Court to determine that his judgment of conviction was void. *See Moore v. State*, No. 03-00530-CR, 2007 Tex. App. LEXIS 6354 (Tex. App.—Austin Aug. 9, 2007, pet. ref'd) (mem. op., not designated for publication) (affirming trial court's judgment of conviction).

“To be entitled to mandamus relief, the relator must show that: (1) he has no adequate remedy at law, and (2) what he seeks to compel is a ministerial act.” *In re State ex rel. Tharp*, 2012 Tex. Crim. App. LEXIS 1549, at *5 (Tex. Crim. App. Nov. 14, 2012) (citing *Bowen v. Carnes*, 343 S.W.3d 805, 810 (Tex. Crim. App. 2011)). Moore has failed to show either ground to support his requested relief. He has not asked us to compel a ministerial act, and he has an adequate remedy at law. *See* Tex. Code Crim. Proc. Ann. art. 11.07 (West Supp. 2012) (procedures

for application for writ of habeas corpus). Accordingly, we deny Moore's petition for writ of mandamus.¹

Melissa Goodwin, Justice

Before Chief Justice Jones, Justices Goodwin and Field

Filed: February 13, 2013

¹ We also dismiss his motions filed with the petition as moot.