

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-13-00428-CV

In re Martin T. Franco, Jr.

ORIGINAL PROCEEDING FROM LLANO COUNTY

MEMORANDUM OPINION

Relator Martin T. Franco, Jr. filed a pro se petition for a writ of mandamus directed to the Commissioner of the Texas Board of Pardons and Paroles, seeking habeas corpus relief based on a claim of wrongfully denied parole. However, this Court does not have jurisdiction over the Commissioner of the Texas Board of Pardons and Paroles.

Appellate courts may issue writs of mandamus only against a district judge or county judge sitting in our district, or to enforce our jurisdiction, none of which are implicated here. Tex. Gov't Code § 22.221; *see In re Noble*, No. 03-13-00011-CV, 2013 Tex. App. LEXIS 517, at *3 (Tex. App.—Austin Jan. 18, 2013, orig. proceeding).

The petition for writ of mandamus is dismissed for want of jurisdiction. *See* Tex. R. App. P. 52.8(a).

Jeff Rose, Justice

Before Justices Puryear, Rose and Goodwin

Filed: July 31, 2013