

COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

§  
§ No. 08-10-00248-CR  
IN RE: ERIC FLORES, § AN ORIGINAL PROCEEDING  
Relator. § IN MANDAMUS  
§  
§

**MEMORANDUM OPINION ON PETITION FOR WRIT OF MANDAMUS**

Relator, Mr. Eric Flores, has filed a *pro se* petition for writ of mandamus, requesting that this Court compel the Magistrate of the El Paso County Jail, to grant his motion to transfer venue from the State of Colorado to El Paso County, Texas.

In order to obtain relief through a writ of mandamus, a relator must establish: (1) no other adequate remedy at law is available; and (2) that the act he seeks to compel is ministerial. *State ex rel. Young v. Sixth Judicial Dist. Court of Appeals At Texarkana*, 236 S.W.3d 207, 210 (Tex.Crim.App. 2007). An act is ministerial if it does not involve the exercise of any discretion. *State ex rel. Hill v. Court of Appeals for the Fifth District*, 34 S.W.3d 924, 927 (Tex.Crim.App. 2001). Based on the petition and record provided, Relator has not demonstrated he is entitled to mandamus relief. *See* TEX.R.APP.P. 52.8. We therefore deny Relator's request.

September 22, 2010

DAVID WELLINGTON CHEW, Chief Justice

Before Chew, C.J., McClure, and Rivera, JJ.

(Do Not Publish)