

**Denied in part; Dismissed in part; Opinion Filed April 16, 2013.**



**In The  
Court of Appeals  
Fifth District of Texas at Dallas**

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**No. 05-13-00436-CV**

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**IN RE BABU S. KALLUVILAYIL, Relator**

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**On Appeal from the Criminal District Court No. 1  
Dallas County, Texas  
Trial Court Cause No. F91-00956-TH**

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**MEMORANDUM OPINION**

Before Justices FitzGerald, Lang, and Myers  
Opinion by Justice Lang

Relator filed this petition for writ of mandamus complaining that the district clerk mishandled certain motions he filed and that the trial court has failed to rule on those motions. The facts and issues are well-known to the parties, so we need not recite them herein. This Court does not have mandamus jurisdiction over the Dallas County District Clerk. *See* TEX. GOV'T CODE ANN. § 22.221 (West 2004). Accordingly, we **DISMISS** the petition to the extent it seeks relief against the clerk. We otherwise **DENY** relator's petition for failure to show entitlement to the relief requested. *See* TEX. R. APP. P. 52.8(a); *Simon v. Levario*, 306 S.W.3d 318, 320-21 (Tex. Crim. App. 2009) (orig. proceeding).