

Writ of Mandamus is DENIED; Opinion Filed August 29, 2013.



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

No. 05-13-01150-CV

IN RE RAMIRO CHAPA, Relator

**Original Proceeding from the 203rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F04-36350-P**

MEMORANDUM OPINION

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

The Court has before it relator's "motion and request to compel lower district court to dismiss pending indictment pursuant to sixth amendment violation of speedy trial right." We treat this document as a petition for writ of mandamus. Relator contends the trial court violated a ministerial duty by not dismissing the indictment against him. The facts and issues are well known to the parties, so we need not recount them herein. Based on the record before us, we conclude relator has not shown he is entitled 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); *State of Tex. ex rel. Hill v. Court of Appeals for the Fifth Dist.*, 34 S.W.3d 924, 927 (Tex. Crim. App.

2001) (orig. proceeding). Accordingly, we **DENY** relator's petition for writ of mandamus.

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/David Evans/

DAVID EVANS
JUSTICE