

DENY and Opinion Filed September 5, 2014



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

No. 05-14-01124-CV

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**IN RE CRAIG WATKINS, CRIMINAL DISTRICT ATTORNEY OF DALLAS COUNTY,
TEXAS, Relator**

**Original Proceeding from the 292nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F13-00257-V
Trial Court Cause No. F13-54696-V**

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Lang, and Justice Brown
Opinion by Justice Lang

Before the Court is the petition for writ of mandamus filed by Craig Watkins, District Attorney of Dallas County, Texas in which he requests that the Court order the trial court to vacate its order granting the defendant's motion to conduct a pre-trial hearing to determine whether the defendant is intellectually disabled. The facts and issues are well-known to the parties so we do not recount them here.

Although relator has provided an appendix in support of his petition for writ of mandamus, the appendix does not comply with rule 52.3(k) of the Texas Rules of Appellate Procedure. Rule 52.3(k) requires that the appendix contain "a certified or sworn copy of any order complained of, or any other document showing the matter complained of." TEX. R. APP. P. 52.3(k). The documents attached to relator's petition are not sworn or certified copies as required

by rule 52.3(k). Because relator has failed to authenticate the mandamus record as required by the rules of appellate procedure, he has failed to establish his right to relief. TEX. R. APP. P. 52.8.

Accordingly, we deny the petition.

/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

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