

**DISMISSED and Opinion Filed March 3, 2016.**



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

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**No. 05-16-00212-CV**

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**IN RE KAREN ANN JOHNSON, Relator**

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**Original Proceeding from the 397th Judicial District Court  
Grayson County, Texas  
Trial Court Cause No. FA-12-0064**

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**MEMORANDUM OPINION**

Before Justices Bridges, Myers, and Whitehill  
Opinion by Justice Myers

In this petition for writ of mandamus, relator requests that the Court order the associate judge assigned to this IV-D child support proceeding to take action on her motion to recuse filed on February 11, 2016. Although the petition is supported by a file-stamped copy of the motion to recuse, the mandamus record does not include any documents supporting relator's claim that the associate judge has taken no action on the motion to recuse. The petition is not certified as required by rule 52.3(j) of the Texas Rules of Appellate Procedure and the appendix is not authenticated as required by rule 52.3(k) and 52.7.

We do not have mandamus jurisdiction over an associate judge. TEX. GOV'T CODE ANN. § 22.221(b) (West 2004) (providing for mandamus jurisdiction over a judge of a district or county court); *In re Oberheiden*, No. 05-15-00565-CV, 2015 WL 2197958, at \*1 (Tex. App.—Dallas May 11, 2015) (court lacked jurisdiction to grant writ of mandamus compelling associate judge to vacate order); *In re Penney*, No. 05-14-00503-CV, 2014 WL 2532307, at \*2 (Tex.

App.—Dallas June 4, 2014, orig. proceeding) (same); *In re Davis*, No. 05–14–00841–CV, 2014 WL 3052478, at \*1 (Tex. App.—Dallas July 3, 2014, orig. proceeding) (same); *see also In re Texas Dept. of Family & Protective Services*, 348 S.W.3d 492, 495 (Tex. App.—Fort Worth 2011, orig. proceeding). For that reason, even if the associate judge has not complied with rule 18a of the Texas Rules of Civil Procedure, a matter we do not and cannot address based on the record before us, we have no jurisdiction to grant mandamus relief.

We dismiss the petition for lack of jurisdiction.

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/Lana Myers/  
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LANA MYERS  
JUSTICE