

DENY; and Opinion Filed February 9, 2017.



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

**No. 05-17-00132-CV
No. 05-17-00133-CV**

IN RE SENRICK WILKERSON, Relator

**Original Proceeding from the Criminal District Court No. 3
Dallas County, Texas
Trial Court Cause Nos. F10-01183 and F10-01184**

MEMORANDUM OPINION

Before Justices Bridges, Fillmore, and Schenck
Opinion by Justice Schenck

Before the Court is relator's January 30, 2017 "motion for nihil dicit default judgment" in which he requests that the Court order the trial court to issue a bench warrant to transport the relator to Dallas County so that he can attend an evidentiary hearing that has not yet been scheduled and to appoint counsel. We treat relator's motion as a petition for writ of mandamus.

To be entitled to a writ of mandamus in a criminal case, the relator must show that (1) he has no other adequate legal remedy to redress his alleged harm and that (2) what he seeks to compel is a ministerial act, not involving a discretionary or judicial decision. *State ex rel. Young v. Sixth Jud. Dist. Ct. of App.*, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007) (orig. proceeding). The relator also must provide the court with a record sufficient to establish his right to mandamus relief. TEX. R. APP. P. 52.3(k), 52.7(a). Relator has not established his right to mandamus relief.

Accordingly, we deny the relief requested.

/David J. Schenck/
DAVID J. SCHENCK
JUSTICE

170132F.P05