

DENY; and Opinion Filed August 24, 2017.



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

No. 05-17-00983-CV

No. 05-17-00985-CV

IN RE SENRICK WILKERSON, Relator

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

MEMORANDUM OPINION

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

Before the Court are relator's August 17, 2017 petitions for writ of mandamus in which relator complains the trial court has not ruled on his motions to appoint counsel and for DNA testing.

Relator's petition is not properly certified as required by rule 52.3(j) of the rules of appellate procedure and does not include an appendix and record containing the necessary contents set out in rule 52.3(k)(1) and rule 52.7(a). TEX. R. APP. P. 52.3(j), 52.3(k)(1)(a), 52.7(a). Although these deficiencies alone constitute sufficient reasons to deny mandamus relief, in the interest of judicial economy we address the petition.

Further, relator's petition does not include a record showing that he properly filed the motions, that he requested a hearing on the motions or asked the trial court to rule, or that the trial court has refused to rule. Because relator has not shown he is entitled to relief, we deny relator's petitions for writ of mandamus. See *In re Johnson*, No. 05-17-00689-CV, 2017 WL

3381110, at *1 (Tex. App—Dallas Aug. 7, 2011, no pet.) (mem. op.) (absent proof that the motions were properly filed, and that the trial court has been requested to rule on the motions but refused to do so, relator has not established his entitlement to the extraordinary relief of a writ of mandamus).

/Jason Boatright/

JASON BOATRIGHT
JUSTICE

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