

DISMISS; and Opinion Filed July 24, 2018.



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

No. 05-18-00787-CV

IN RE WILLIAM CLIFFORD BUTLER, Relator

**Original Proceeding from the 292nd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F92-20707 SV**

MEMORANDUM OPINION

Before Justices Lang-Miers, Fillmore, and Stoddart
Opinion by Justice Lang-Miers

In this original proceeding, relator seeks a writ of mandamus directing the district court clerk to provide him access to the trial court record and trial transcript so that relator may review the record and file a petition for writ of habeas corpus in the Texas Court of Criminal Appeals. This Court does not have jurisdiction to issue a writ of mandamus against a district clerk unless it is necessary to enforce our own jurisdiction. TEX. GOV'T CODE § 22.221(a) (court of appeals may only issue writ of mandamus against district and county judges or as necessary to enforce jurisdiction of appellate court); *In re Wilkerson*, No. 05-16-00322-CV, 2016 WL 1320815, at *1 (Tex. App.—Dallas Apr. 5, 2016, orig. proceeding) (mem. op.) (citing *In re Simpson*, 997 S.W.2d 939, 939 (Tex. App.—Waco 1999, orig. proceeding)). Relator has no appeal pending in this Court

and, therefore, our jurisdiction is not in jeopardy. Accordingly, we dismiss relator's petition for writ of mandamus for want of jurisdiction.

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE

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