

DENIED and Opinion Filed November 19, 2019



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

No. 05-19-01391-CV

IN RE ALEX PERRY NEAL, RELATOR

**Original Proceeding from the County Court at Law No. 5
Collin County, Texas
Trial Court Cause No. 005-84128-2019**

MEMORANDUM OPINION

Before Justices Myers, Molberg and Nowell
Opinion by Justice Myers

Alex Neal has filed an original application for writ of mandamus in this Court challenging the timing of his arraignment, the basis for multiple charges against him, the legality of a search connected to his arrest, and venue for the proceedings below. Entitlement to mandamus relief regarding pre-trial criminal matters requires relator to demonstrate that he lacks an adequate remedy at law and the act he seeks to compel is ministerial rather than discretionary. *Dickens v. Court of Appeals For Second Supreme Judicial Dist. of Texas*, 727 S.W.2d 542, 548–49 (Tex. Crim. App. 1987). Additionally, a writ addressing pre-trial matters in criminal cases may also issue to correct a “clear abuse of discretion” by the trial court. *Id.* at 549–550.

After reviewing the petition for writ of mandamus and the applicable law, we conclude relator has not shown he is entitled to the relief requested. Accordingly, we deny relator’s

petition for writ of mandamus. *See* TEX. R. APP. P. 52.8(a) (the court must deny the petition if the court determines relator is not entitled to the relief sought).

/Lana Myers/

LANA MYERS
JUSTICE

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