

**DENIED and Opinion Filed November 23, 2020**



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

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**No. 05-20-00926-CV**

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**IN RE MILTON LEE TARVER, Relator**

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**Original Proceeding from the 291st Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. F98-02379-QU**

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**MEMORANDUM OPINION**

Before Justices Myers, Molberg, and Evans  
Opinion by Justice Evans

Milton Lee Tarver has filed a petition for writ of mandamus requesting the Court order the City of Dallas Police Department to turn over to him a police report that he contends contains exculpatory material. Relator has also filed motions as exhibits to his petition requesting that the Court subpoena medical records and a witness from the Dallas Rape Crisis Center. We deny relief.

This Court does not have jurisdiction to issue a writ of mandamus against a police department or a rape crisis center unless it is necessary to enforce our own jurisdiction. *See* TEX. GOV'T CODE ANN. § 22.221(a), (b) (authorizing court of appeals to issue writs of mandamus against district and county judges within appellate court's geographic jurisdiction or when necessary to enforce appellate

court's jurisdiction); *see also In re Butler*, (No. 01-13-00177-CR, 2013 WL 1136856, at \*1 (Tex. App.—Houston [1st Dist.] Mar. 19, 2013, orig. proceeding) (mem. op. per curiam, not designated for publication) (denying mandamus against police department).

Finding no basis for relief, we deny relator's petition for writ of mandamus and deny as moot his motions.

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DAVID EVANS  
JUSTICE

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