

Opinion issued January 21, 2016



In The
Court of Appeals
For The
First District of Texas

NO. 01-15-00822-CV

IN RE PHILLIP JACKSON, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Phillip Jackson, incarcerated and proceeding *pro se*, has filed a petition for a writ of mandamus, requesting that we order respondent, Justice of the Peace, Precinct 4, Brazoria County, to grant relator “a Default Judgment hearing via telephone conference call” pursuant to Texas Rule of Civil Procedure

503.1(a)(2).¹ However, this Court’s mandamus jurisdiction is limited to (1) writs against a district court judge or county court judge within this Court’s district, and (2) writs necessary to enforce the Court’s jurisdiction. TEX. GOV’T CODE ANN. § 22.221 (West 2004). We do not have jurisdiction to issue a writ of mandamus against a justice of the peace unless the writ is necessary to enforce our jurisdiction. *See In re Smith*, 355 S.W.3d 901, 901–02 (Tex. App.—Amarillo 2011, orig. proceeding) (citing *In re Elliott*, No. 01-09-00714-CV, 2009 WL 2526402, at *1, (Tex. App.—Houston [1st Dist.] Aug. 20, 2009, orig. proceeding) (mem. op.)); *Easton v. Franks*, 842 S.W.2d 772, 772–73 (Tex. App.—Houston [1st Dist.] 1992, orig. proceeding). Relator’s petition does not demonstrate that the relief he requests is necessary to enforce our jurisdiction.

Accordingly, we dismiss the petition for lack of jurisdiction.

PER CURIAM

Panel consists of Justices Higley, Huddle, and Lloyd.

¹ The petition identifies the underlying case as *Phillip Jackson v. Frankie Reescano and Kenneth Jolley*, Cause No. GSC-14-015, in the Justice Court, Precinct 4, Place 1 of Brazoria County, the Honorable Sharon Fox presiding.