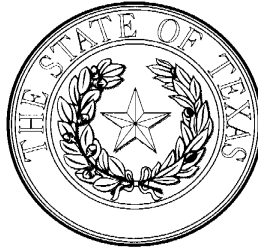


Opinion issued September 5, 2019



In The
Court of Appeals
For The
First District of Texas

NO. 01-19-00573-CR

IN RE ROBERT LEE HICKS, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Robert Lee Hicks, has filed a petition for writ of mandamus, seeking an order to direct the District Clerk to forward relator's motion for nunc pro tunc to the trial court.¹

¹ The underlying case is *The State of Texas v. Robert Lee Hicks*, cause number 1327680, pending in the 228th District Court of Harris County, Texas, the Honorable Frank Aguilar presiding.

However, this Court's mandamus jurisdiction is limited to: (1) issuance of writs of mandamus against a district court judge, statutory county judge, statutory probate county judge, county court judge, district court judge acting as a magistrate at a court of inquiry under Chapter 52 of the Texas Code of Criminal Procedure, or an associate judge appointed under Chapter 201 of the Texas Family Code, in this Court's district, and (2) issuance of writs of mandamus necessary to enforce our appellate jurisdiction. *See* TEX. GOV'T CODE § 22.221(a)–(b). Because relator's petition is directed at the district clerk, not the district judge, and does not indicate that issuance of a writ is necessary to enforce our appellate jurisdiction, we lack jurisdiction to issue the writ. *See id.* at § 22.221(a), (b)(1).

Accordingly, relator's petition is dismissed for want of jurisdiction.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Keyes and Higley.

Do not publish. *See* TEX. R. APP. P. 47.2(b).