

Opinion issued October 22, 2020



In The
Court of Appeals
For The
First District of Texas

NO. 01-20-00707-CR

IN RE MAURICIO IZAGUIRRE, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Mauricio Izaguirre, incarcerated and proceeding pro se, has filed a petition for writ of mandamus, seeking to compel respondents, the Harris County District Clerk, the Harris County District Attorney's Office, and the Attorney General of Texas, to acknowledge receipt of a "Petition" sent to respondents via the

United States Postal Service on October 2, 2019 and further to compel “an answer to the petition be filed by respondents.”¹

We dismiss relator’s petition for lack of jurisdiction.²

This Court’s mandamus jurisdiction is limited to writs of mandamus against certain judges within its district and all writs necessary to enforce the Court’s jurisdiction. *See* TEX. GOV’T CODE ANN. § 22.221(a)–(b). Thus, we have no jurisdiction to issue a writ of mandamus against any of the respondents named in realtor’s petition. *See id.*; *In re Grable*, No. 01-05-00903-CR, 2005 WL 2671081, at *1 (Tex. App.—Houston [1st Dist.] Oct. 20, 2005, orig. proceeding) (mem. op., not designated for publication) (“[W]e have no subject-matter jurisdiction to issue a writ of mandamus directed at [an] assistant district attorney.”); *In re Jackson*, No. 01-02-00560-CV, 2002 WL 1303499, at *1 (Tex. App.—Houston [1st Dist.] June 13, 2002, orig. proceeding) (not designated for publication) (“This Court has no jurisdiction to issue a writ of mandamus against the state attorney general.”); *In re Simpson*, 997 S.W.2d 939, 939 (Tex. App.—Waco 1999, original proceeding) (“The Government Code does not confer mandamus jurisdiction over District Clerks upon

¹ The underlying case is *The State of Texas v. Mauricio Izaguirre*, Cause No. 1341419, in the 179th District Court of Harris County, Texas, the Honorable Randy Roll presiding.

² Relator’s petition is further procedurally defective in that it does not include certain elements required by the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 52.3.

the courts of appeals.”). Because relator’s petition does not reflect that issuance of a writ is necessary to enforce our jurisdiction, we do not have jurisdiction to issue a writ of mandamus against respondents. *See In re Washington*, 7 S.W.3d 181, 182 (Tex. App.—Houston [1st Dist.] 1999, orig. proceeding).

Accordingly, we dismiss relator’s petition for writ of mandamus for lack of jurisdiction. All pending motions are dismissed as moot.

PER CURIAM

Panel consists of Justices Keyes, Lloyd, and Landau.

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