

Opinion issued October 5, 2021



In The
Court of Appeals
For The
First District of Texas

NO. 01-21-00504-CV

IN RE MARQUISE DAVAR HODGE, Relator

Original Proceeding on Petition for Writ of Execution

MEMORANDUM OPINION

Marquise Davar Hodge has filed an “Application for Writ of Execution/Assistance Jurisdiction.”¹ In this application, relator claims that Texas Department of Criminal Justice (TDCJ) Disciplinary Hearing Officer Reneka Danzy conducted an Administrative hearing concerning an offense report filed on January

¹ Relator styles the case as *Marquise Davar Hodge v. Texas Department of Criminal Justice, Opara, J., Charging Officer, and Reneka Danzy, Hearing Officer*, cause number 20210089300, pending in Brazoria County, Texas. There appears to be no trial court case and no trial court judge involved.

3, 2021 by Charging Officer J. Opara against relator. Because relator claims that he has a carbon copy of a judgment showing that he has no liability on any debt allegedly imposed in connection with this offense, he asks us to issue a writ to enforce this judgment in accordance with Federal Rule of Civil Procedure 70(d). Relator has attached a copy of the disciplinary report and offender notification, which appear to indicate that relator was charged with the offense of being in the Trusty camp dayroom without authorization. The report indicates that he lost privileges of recreation and commissary days.

This Court has no jurisdiction to issue writs against officers at TDCJ. *See* TEX. GOV'T CODE ANN. § 22.221(a)-(b) (courts of appeals may issue writ of mandamus or other writs necessary to enforce our jurisdiction or to issue mandamus against judges of district, statutory county, statutory probate county, or county court in our district). Absent a pending appeal or attempted appeal, there is no jurisdiction for this Court to enforce. Additionally, relator has not sought a writ against a trial court judge and this Court lacks statutory power to issue writs against TDCJ officers.

Moreover, writs of execution issue to enforce a trial court judgment. *See* TEX. R. CIV. P. 621. Relator does not state or provide a record showing that there is a trial court judgment for which he seeks execution.

Accordingly, we dismiss this proceeding for lack of jurisdiction. Any pending motions are dismissed as moot.

PER CURIAM

Panel consists of Justices Kelly, Hightower, and Farris.