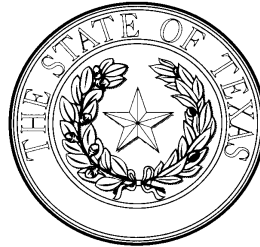


Opinion issued November 30, 2021



In The
Court of Appeals
For The
First District of Texas

NO. 01-21-00599-CR

NO. 01-21-00600-CR

IN RE BERTRAND DONOVAN WILTZ, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

Relator, Bertrand Donovan Wiltz, has filed two petitions for writ of mandamus challenging the trial court's failure to provide him with an examining trial prior to his indictments, which he states were both filed on July 29, 2021.¹

¹ The underlying case is *State of Texas v. Bertrand Donovan Wiltz*, cause number 21-CR-1427 and 21-CR-1426, pending in the 405th District Court of Galveston County, Texas, the Honorable Jared Robinson presiding.

An examining trial puts “the State to its burden of proving probable cause exists to believe the accused committed the offense charged against him.” *State ex rel. Holmes v. Salinas*, 784 S.W.2d 421, 425 (Tex. Crim. App. 1990). But once the grand jury has returned its own probable cause determination via an indictment, the purpose and justification for an examining trial is satisfied and the defendant is no longer entitled to an examining trial. *See id.* Because relator admits that grand-jury indictments were returned in his two criminal court cases, he has not established a right to mandamus relief.

We deny relator’s petition for writ of mandamus. *See* TEX. R. APP. P. 52.8.

Any pending motions are dismissed as moot.

PER CURIAM

Panel consists of Justices Hightower, Countiss, and Guerra.

Do not publish.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