

Petition for Writ of Mandamus Denied and Memorandum Opinion filed January 20, 2010



In The

Fourteenth Court of Appeals

NO. 14-10-00045-CV

IN RE DAVID BUREN WILSON, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS**

MEMORANDUM OPINION

On January 15, 2010, relator David Buren Wilson filed a petition for writ of mandamus in this Court. *See* Tex. Elec. Code Ann. §273.061 (Vernon 2003); *see also* Tex. R. App. P. 52. In the petition, relator asks that he be declared an eligible candidate for a place on the March 2, 2010 Democratic Party General Primary Election Ballot for the office of Harris County Commissioner Court Precinct No. 4.

This matter involves disputed fact issues that cannot be resolved in a mandamus proceeding. *In re Angelini*, 181 S.W.3d 558, 559 (Tex. 2006) (orig. proceeding). These fact issues must be addressed in accordance with procedures set forth in *In re Gamble*, 71

S.W.3d 313 (Tex. 2002) (orig. proceeding). *See also* Tex. Elec. Code Ann. § 273.081 (Vernon 2003).

Relator has not established his entitlement to the extraordinary relief of a writ of mandamus. Accordingly, we deny relator's petition for writ of mandamus.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Seymore and Boyce.