

Petition for Writ of Mandamus Denied and Memorandum Opinion filed February 18, 2010



In The

Fourteenth Court of Appeals

NO. 14-10-00105-CR

IN RE STEVEN LINARES, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS**

MEMORANDUM OPINION

On February 5, 2010, relator, Steven Linares, filed a petition for writ of mandamus in this Court. *See* Tex. Gov't Code Ann. §22.221 (Vernon 2004); *see also* Tex. R. App. P. 52. In the petition, relator asks this Court to compel the Honorable Mary Lou Keel, presiding judge of the 232nd District Court of Harris County, to rule on his motion for a speedy trial.

Relator's petition does not comply with the Texas Rules of Appellate Procedure. *See* Tex. R. App. 9.5 (requiring filing party to serve copy on all parties to proceeding at or before time of document's filing); 52.3(j) (requiring person filing petition to certify that he has read petition and concluded that every factual statement is supported by

competent evidence in appendix or record); 52.7(a)(1) (requiring relator to file with petition certified or sworn copy of every document that is material to relator's claim for relief and was filed in any underlying proceeding). Moreover, relator has not paid the filing fee or filed an affidavit of indigence. *See In re Grable*, No. 14-04-00779-CV, 2004 WL 1946136, at *1 (Tex. App.—Houston [14th Dist.] Sept. 2, 2004, orig. proceeding) (mem. op.) (“[W]e are not required to rule on matters unless a filing fee has been paid or a proper affidavit of indigence has been filed.”); *see also* Tex. R. App. P. 20.1 (requiring relator to file affidavit of indigence with petition in order to proceed without advance payment of costs).

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 Justices Yates, Seymore, and Brown.

Do not publish—Tex. R. App. P. 47.2(b).