

Petition for Writ of Mandamus Dismissed, Motion to Proceed *In Forma Pauperis* Denied as Moot, and Memorandum Opinion filed December 23, 2014.



In The

Fourteenth Court of Appeals

NO. 14-14-00989-CV

IN RE NATHANIEL JONES III, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
133rd District Court
Harris County, Texas
Trial Court Cause No. 2014-44583**

MEMORANDUM OPINION

On December 11, 2014, relator Nathaniel Jones III filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code § 22.221; *see also* Tex. R. App. P. 52. In the petition, relator asks this court to compel the Harris County District

Clerk to issue a citation in the underlying litigation pursuant to Rule 145 of the Texas Rules of Civil Procedure.

By statute, we have authority to issue a writ of mandamus against a judge of a district or county court in our court of appeals district, and as necessary to enforce our appellate jurisdiction. *See* Tex. Gov't Code § 22.221(a), (b). The Harris County District Clerk named as the respondent in this original proceeding is not a judge of a district or county court. And, issuance of the writ against the respondent is not necessary to enforce our jurisdiction. Therefore, we have no jurisdiction to grant the requested relief. *See, e.g., In re Brooks*, No. 14-14-00079-CV, 2014 WL 549376, *1 (Tex. App.—Houston [14th Dist.] Feb. 11, 2014, orig. proceeding) (mem. op., per curiam); *In re Cantu*, No. 14-13-00828-CV, 2013 WL 5503879, *1 (Tex. App.—Houston [14th Dist.] Oct. 1, 2013, orig. proceeding) (mem. op., per curiam).

Accordingly, we dismiss relator's petition for writ of mandamus for want of jurisdiction. We further deny as moot relator's motion to proceed *in forma pauperis*.

PER CURIAM

Panel consists of Justices Jamison, Busby, and Brown.