

**Petition for Writ of Mandamus Denied and Majority and Dissenting
Memorandum Opinions filed October 25, 2016.**



In The

Fourteenth Court of Appeals

NO. 14-16-00814-CR

IN RE MITCHELL THOMPSON, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
339th District Court
Harris County, Texas
Trial Court Cause No. 1492257**

MEMORANDUM OPINION

On October 12, 2016, relator Mitchell Thompson filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221 (West 2004); *see also* Tex. R. App. P. 52. In the petition, relator asks this court to compel the Honorable Maria T. Jackson, presiding judge of the 339th District Court of Harris County, to

vacate the order signed on August 24, 2016, that requires relator to submit to testing to show whether or not relator has a sexually transmitted disease, or has acquired immune deficiency syndrome, or human immunodeficiency virus infection, antibodies to HIV or infection with any other probable causative agent of AIDS.

To obtain mandamus relief, a relator generally must show both that the trial court clearly abused its discretion and that relator has no adequate remedy by appeal. *In re Prudential Ins. Co.*, 148 S.W.3d 124, 135–36 (Tex. 2004) (orig. proceeding).

Relator has not established that he is entitled to mandamus relief.

Accordingly, we deny relator's petition for writ of mandamus.

/s/ Marc W. Brown
Justice

Panel consists of Justices McCally, Brown, and Wise (McCally, J., Dissenting).
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