

**Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed
April 4, 2017.**



In The

Fourteenth Court of Appeals

NO. 14-17-00186-CV

IN RE TROY WIGLEY, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
434th District Court
Fort Bend County, Texas
Trial Court Cause No. 16-DCV-231014**

MEMORANDUM OPINION

On March 10, 2017, relator Troy Wigley 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 District Clerk for Fort Bend County (Annie Rebecca Elliott) to transmit and bring to the

attention of Judge James H. Shoemake of the 434th District Court of Fort Bend County certain motions relator allegedly filed with that court.

This Court's mandamus jurisdiction is governed by section 22.221 of the Texas Government Code. Section 22.221 expressly limits the mandamus jurisdiction of the courts of appeals to: (1) writs against a district court judge or a county court judge in the court of appeals' district; and (2) all writs necessary to enforce the court of appeals' jurisdiction. Tex. Gov't Code Ann. § 22.221. The district clerk is not a district court or county court judge in this court's district, and relator has not shown that the issuance of a writ compelling the requested relief is necessary to enforce this court's appellate jurisdiction. Therefore, we do not have jurisdiction to issue a writ of mandamus against the district clerk. *See In re Gonzalez*, No. 14-16-00203-CR, 2016 WL 1237824, at *2 (Tex. App.—Houston [14th Dist.] Mar. 29, 2016); *In re Simpson*, 997 S.W.2d 939 (Tex. App.—Waco 1999, orig. proceeding) (“The Government Code does not confer mandamus jurisdiction over District Clerks upon the courts of appeals.”).

Because relator seeks a writ of mandamus against the District Clerk for Fort Bend County, we dismiss relator's petition for writ of mandamus for want of jurisdiction.

PER CURIAM

Panel consists of Justices Christopher, Boyce, and Jewell.