

**Petition for Writ of Mandamus denied and Memorandum Opinion filed May 18, 2017.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-17-00196-CR**

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**IN RE RAYMOND EDWARD LEAL, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
208th District Court  
Harris County, Texas  
Trial Court Cause No. 1227701**

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**MEMORANDUM OPINION**

On March 17, 2017, relator Raymond Edward Leal 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 Denise Collins, presiding judge of the 208th District Court of Harris County, to proceed with a new trial that includes a guilt phase. Specifically, relator

contends the trial court abused its discretion by denying his motion to be retried as to guilt following remand from this court in a prior appeal after appellant pleaded guilty to murder.<sup>1</sup>

Because we conclude the trial court did not abuse its discretion, we deny the petition. *See Ex parte Pete*, Nos. PD-0771-16, PD-0772-16, & PD-0773-16, \_\_\_ S.W.3d \_\_\_, 2017 WL 1536183, at \*5 (Tex. Crim. App. April 26, 2017) (holding that if error occurring during punishment phase had “no conceivable effect” on guilt phase, no compelling reason exists to repeat guilt phase).

PER CURIAM

Panel consists of Justices Christopher, Busby, and Jewell.  
Do Not Publish — Tex. R. App. P. 47.2(b).

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<sup>1</sup> *Leal v. State*, No. 14-12-00031-CR, 2012 WL 4465229 (Tex. App.—Houston [14th Dist.] 2012, no pet.) (mem. op.).