

**Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed
November 14, 2019.**



In The

Fourteenth Court of Appeals

NO. 14-19-00878-CR

IN RE AMIR BEN-DAVID A/K/A/ JIM MOLIN, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
351st District Court
Harris County, Texas
Trial Court Cause No. 1538891**

MEMORANDUM OPINION

On November 4, 2019, relator Amir Ben-David a/k/a Jim Molin filed a petition for writ of mandamus in this court. *See* Tex. Gov't Code Ann. § 22.221; *see also* Tex. R. App. P. 52. In the petition, relator asks this court to compel the Honorable Marilyn Burgess, Harris County District Clerk, to receive and file all papers in relator's underlying case.

This court's mandamus jurisdiction is governed by section 22.221 of the Texas Government Code. A court of appeals may issue writs of mandamus against (1) a judge of a district, statutory county, statutory probate county, or county court in the court of appeals district; (2) a judge of a district court who is acting as a magistrate at a court of inquiry under Chapter 52 of the Texas Code of Criminal Procedure in the court of appeals district; or (3) an associate judge of a district or county court appointed by a judge under Chapter 201 of the Texas Family Code in the court of appeals district for the judge who appointed the associate judge. Tex. Gov't Code Ann. § 22.221(b). The courts of appeals also may issue all writs necessary to enforce the court of appeals' jurisdiction. *Id.* § 22.221(a).

The Harris County District Clerk is not among the parties specified in section 22.221(b). Moreover, relator has not shown that the issuance of a writ compelling the requested relief is necessary to enforce our appellate jurisdiction. *See id.* § 22.221(a). Therefore, we lack jurisdiction to issue a writ of mandamus against the Harris County District Clerk.

Accordingly, we dismiss relator's petition for writ of mandamus for lack of jurisdiction.

PER CURIAM

Panel consists of Chief Justice Frost and Justices Christopher and Bourliot.
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