

**Petition for Writ of Mandamus Denied, in Part, and Dismissed, in Part, and
Memorandum Opinion filed May 20, 2021.**



In The

Fourteenth Court of Appeals

NO. 14-21-00147-CV

IN RE R. WAYNE JOHNSON, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
133rd District Court
Harris County, Texas
Trial Court Cause No. 2009-15297**

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
156th District Court
Bee County, Texas
Trial Court Cause No. B-01-1159-0-CV-B**

MEMORANDUM OPINION

On March 16, 2021, relator R. Wayne Johnson 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 complains of two trial court orders: (1) a June 14, 2001 order from the 156th Judicial District Court of Bee County, Texas, that declares relator a vexatious litigant, and (2) a July 21, 2009 order from the 133rd Judicial District Court of Harris County, Texas. The copy of the latter order attached to relator's petition is incomplete but appears to grant a request by a criminal district judge directing the district clerk to verify that relator has obtained permission from the local administrative judge to file suit against the district judge. Relator contends that both orders are void.

Regarding the June 14, 2001 order finding relator to be a vexatious litigator, Bee County is not in the district for the Fourteenth Court of Appeals but is in the district for the Thirteenth Court of Appeals. *See* Tex. Gov't Code Ann. § 22.201(n), (o). To the extent that relator complains of the Bee County order, we do not have jurisdiction over a judge not in this court's district and relator has not shown that the issuance of a writ is necessary to enforce this court's jurisdiction. *See* Tex. Gov't Code Ann. § 22.221(a), (b). We dismiss for want of jurisdiction the part of relator's petition complaining of the June 14, 2001 order.

Regarding the July 21, 2009 order, relator has not established entitlement to mandamus relief. As the party seeking mandamus relief, relator has the burden of providing this court with a sufficient record to establish his right to mandamus relief. *In re Gomez*, 602 S.W.3d 71, 73 (Tex. App.—Houston [14th Dist.] 2020, orig. proceeding); *In re Henry*, 525 S.W.3d 381, 382 (Tex. App.—Houston [14th Dist.]

2017, orig. proceeding). Relator has not met his burden. Relator has not included a sworn, certified, and complete copy of the subject order or a sworn or certified copy of every document that is material to relator's claim for relief and was filed in the proceeding in the trial court. *See* Tex. R. App. P. 52.3(k)(1)(a); 52.7(a)(1). Relator has not established that he is entitled to mandamus relief with respect to the July 21, 2009 order.

We deny relator's petition for writ of mandamus without prejudice as to the July 21, 2009 order and dismiss relator's petition as to the June 14, 2001 order.

PER CURIAM

Panel consists of Justices Jewell, Bourliot, and Hassan (Bourliot, J., dissenting without opinion).