

Petition for Writ of Mandamus Denied and Memorandum Opinion filed May 20, 2021.



In The

Fourteenth Court of Appeals

NO. 14-21-00252-CR

IN RE ERICK HERMAN SANTOS-VALDEZ, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
56th District Court
Galveston County, Texas
Trial Court Cause No. 11CR1634**

MEMORANDUM OPINION

On May 12, 2021, relator Erick Herman Santos-Valdez 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 Lonnie Cox, presiding judge of the 56th District Court of Galveston County, to rule on his motion to obtain his appellate record.

To be entitled to mandamus relief, a relator must show that (1) the relator has no adequate remedy at law for obtaining the relief the relator seeks; and (2) what the relator seeks to compel involves a ministerial act rather than a discretionary act. *In re Powell*, 516 S.W.3d 488, 494–95 (Tex. Crim. App. 2017) (orig. proceeding).

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 provided 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 entitled to mandamus relief. Accordingly, we deny relator’s petition for writ of mandamus.

PER CURIAM

Panel consists of Chief Justice Christopher and Justices Zimmerer and Hassan.
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