

**Petition for Writ of Mandamus Denied and Memorandum Opinion filed  
November 16, 2021.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-21-00620-CR  
NO. 14-21-00621-CR  
NO. 14-21-00622-CR  
NO. 14-21-00623-CR  
NO. 14-21-00624-CR**

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**IN RE DAVID CHRISTOPHER PHILLIPS, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
56th District Court  
Galveston County, Texas  
Trial Court Cause Nos. 21CR2314, 21CR2315, 21CR2316, 21CR2317, &  
21CR2318**

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**MEMORANDUM OPINION**

On November 1, 2021, relator David Christopher Phillips filed five petitions for writ of mandamus in this Court. *See* Tex. Gov't Code Ann. § 22.221; *see also* Tex. R. App. P. 52. In each petition, relator asks this Court to compel the

Honorable Lonnie Cox, presiding judge of the 56th District Court of Galveston County, to grant relator an examining trial in the respective trial court cause number. *See* Tex. Code Crim. Proc. art. 16.01.

In each petition, relator asserts that he “was never given an examining trial” prior to the issuance of an indictment by the “Grand Jurors for the County of Galveston” on October 14, 2021. Relator contends this violated his constitutional rights. A defendant’s right to an examining trial is ended by the return of an indictment. *State ex rel. Holmes v. Salinas*, 784 S.W.2d 421, 427 (Tex. Crim. App. 1990); *see also In re Richardson*, No. 14-04-00713, 2004 WL 1797589, at \*1 (Tex. App.—Houston [14th Dist.] Aug. 12, 2004, orig. proceeding). “Due process considerations are not implicated since the primary purpose for the examining trial, a determination of probable cause, is at least as timely accomplished by presenting evidence directly to the grand jury.” *Salinas*, 784 S.W.2d at 427.

Relator has not established that he is entitled to mandamus relief. Accordingly, we deny relator’s petitions for writ of mandamus.

PER CURIAM

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

Do Not Publish — Tex. R. App. P. 47.2(b).