

**Petition for Writ of Mandamus Dismissed and Memorandum Majority and
Dissenting Opinions filed August 22, 2023.**



In The

Fourteenth Court of Appeals

NO. 14-23-00448-CV

**IN RE BRIAN W. PARKER AND REBECCA J. PARKER,
COLLECTIVELY IN THEIR INDIVIDUAL CAPACITIES, AS LIMITED
PARTNERS IN FILIP FAMILY, L.P., AND AS TRUSTEES OF THE
PARKER IRREVOCABLE TRUST HOLDING PARTNERSHIP
INTERESTS IN THE FILIP FAMILY, L.P., Relators**

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
240th District Court
Fort Bend County, Texas
Trial Court Cause No. 23-DCV-301621**

MEMORANDUM MAJORITY OPINION

On June 26, 2023, relators Brian W. Parker and Rebecca J. Parker, collectively in their Individual Capacities, as Limited Partners in the Filip Family, L.P., and as Trustees of the Parker Irrevocable Family Trust Holding Partnership Interests in the Filip Family, L.P., 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, relators ask this court to compel the Honorable O'Neil Williams, Associate Judge of the 240th District Court in Fort Bend County, to set aside his May 16, 2023 order denying relators' motion to transfer venue to Fayette County, Texas, and grant the motion and transfer the case to Fayette County.

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).

Respondent is not among the parties specified in section 22.221(b). *See id.* § 22.221(b). Moreover, relators have 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 respondent.

Accordingly, relators' petition for writ of mandamus is dismissed for want of jurisdiction.

PER CURIAM

Panel consists of Justices Wise, Bourliot, and Spain (J., Spain, dissenting).