

Petition for Writ of Mandamus Dismissed and Opinion filed February 6, 2024.



In The

Fourteenth Court of Appeals

NO. 14-23-00877-CR

IN RE DARREN TRAMEL HUGHES, Relator

**ORIGINAL PROCEEDING
WRIT OF MANDAMUS
179th District Court
Harris County, Texas
Trial Court Cause No. 1494203**

MEMORANDUM OPINION

On Monday, November 20, 2023, relator Darren Tramel Hughes 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 Ana Martinez, presiding judge of the 179th District Court of Harris County, to rule on two of his motions: (1) Motion to Dismiss Court Appointed

Attorney and Appoint New Counsel and (2) Request for Release / or Request for Bond.

By order dated January 4, 2024, this court advised relator that his petition did not comply with Rules 52.3(k), and 52.7(a) of the Texas Rules of Appellate Procedure. *See* Tex. R. App. P. 52.3(k), 52.7(a). In the order, the court notified relator that the petition would be dismissed unless an amended petition addressing the record issues was filed by January 25, 2024.

On January 19, 2024, relator filed an amended petition. The amended petition does not comply with the Texas Rules of Appellate Procedure in that (1) it does not have an appendix containing a certified or sworn copy of any document showing the matter complained and (2) it does not contain a certified or sworn copy of every document that is material to the relator's claim for relief and that was filed in the underlying proceeding and a properly authenticated transcript of any relevant testimony from any underlying proceeding, including any exhibits offered in evidence, or a statement that no testimony was adduced in connection with the matter complained. *See* Tex. R. App. P. 52.3(k), 52.7(a); *see also* Tex. Civ. Prac. & Rem. Code Ann. § 131.001 (allowing use of unsworn declarations). Furthermore relator does not state under penalty of perjury that such documents exist and he has been denied copies of them.

As such, relator's petition for writ of mandamus is dismissed.

PER CURIAM

Panel consists of Justices Wise, Bourliot, and Spain.

Do Not Publish — Tex.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