

*Court Of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-08-00662-CV

**IN RE Juan GAMEZ**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Catherine Stone, Justice  
Santee Bryan Marion, Justice  
Phylis J. Speedlin, Justice

Delivered and Filed: September 24, 2008

PETITION FOR WRIT OF MANDAMUS DISMISSED FOR LACK OF JURISDICTION

On August 29, 2008, relator Juan Gamez filed a petition for writ of mandamus seeking to compel the District Clerk of Bexar County to file his motion for forcible entry and detainer. This court has no mandamus jurisdiction over a district clerk unless the issuance of the writ is necessary to enforce our jurisdiction. *See* TEX. GOV'T CODE ANN. § 22.221(a)-(b) (Vernon 2004); *In re Coronado*, 980 S.W.2d 691, 692 (Tex. App.—San Antonio 1998, orig. proceeding). Relator has failed to establish the writ he is requesting is necessary to enforce our jurisdiction.

In addition, relator has the burden to provide a record establishing his right to mandamus relief. *See* TEX. R. APP. P. 52.7(a)(1) (relator must file with the mandamus petition a copy of every

---

<sup>1</sup>[▲](#) Relator asserts this matter arises from proceedings in Bexar County, but he does not identify the trial court or provide a cause number.

document that is material to his claim for relief); *Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992). Relator failed to provide this court with the motion he asserts he filed with the trial court or any documents material to his request for mandamus relief.

Accordingly, the petition for writ of mandamus is dismissed for lack of jurisdiction.

PER CURIAM