

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



MEMORANDUM OPINION

No. 04-08-00697-CV

IN RE Roberto GARCIA

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Karen Angelini, Justice
Phylis J. Speedlin, Justice
Steven C. Hilbig, Justice

Delivered and Filed: October 22, 2008

PETITION FOR WRIT OF MANDAMUS DISMISSED FOR LACK OF JURISDICTION

On September 16, 2008, relator Roberto Garcia filed a petition for writ of mandamus seeking to compel Elizabeth Lipsey, executrix of the estates of Jose Garcia and Hortencia Garcia, and Demetrio Duarte, attorney for executrix, to provide “disclosure and inspection of his inheritance.” This court’s mandamus authority is quite limited. *In re Coronado*, 980 S.W.2d 691, 692 (Tex. App.—San Antonio 1998, orig. proceeding); *see also* TEX. GOV’T CODE ANN. § 22.221(a), (b) (Vernon 2004). In order for the executrix or the executrix’s attorney to fall under our mandamus authority, relator must demonstrate that the issuance of the writ is necessary to enforce our jurisdiction. *See Coronado*, 980 S.W.2d at 692. Relator has failed to establish the writ he is requesting is necessary to enforce our jurisdiction. Accordingly, the petition for writ of mandamus is dismissed for lack of jurisdiction.

PER CURIAM

¹ This proceeding arises out of Cause Nos. 2006-PC-1930 and 2006-PC-3179, in Probate Court 2, Bexar County, Texas, the Honorable Tom Rickhoff presiding.