

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



**MEMORANDUM OPINION**

No. 04-09-00527-CR

**IN RE Luis CANTU**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Sandee Bryan Marion, Justice  
Rebecca Simmons, Justice  
Marialyn Barnard, Justice

Delivered and Filed: October 14, 2009

PETITION FOR WRIT OF MANDAMUS DENIED

On August 24, 2009, relator Luis Cantu filed a petition for writ of mandamus, complaining of the trial court's failure to dismiss the charges against him in compliance with the "Interstate Agreement on Detainers Act."<sup>2</sup>

The disposition of an interstate detainer is governed by the Texas Code of Criminal Procedure. *See* TEX. CODE CRIM. PROC. ANN. art. 51.14 (Vernon 2006) (Interstate Agreement on Detainers Act). Article III of the Act establishes the procedure to be followed when a prisoner seeks

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<sup>1</sup> This proceeding arises out of Cause No. 07-1793-CR, pending in the 274th Judicial District Court, Guadalupe County, Texas, the Honorable Gary L. Steel presiding.

<sup>2</sup> TEX. CODE CRIM. PROC. ANN. art. 51.14 (Vernon 2006).

a final disposition of an outstanding indictment, information, or complaint. *See id.* Art. 51.14, art. III (Vernon 2006).

Relator alleges that he filed the “relevant documents” pursuant to the IADA on November 6, 2008. However, we cannot determine from this record whether the appropriate procedure was followed in transmitting relator’s documents to the court and whether the trial court received all of the documentation required by the Act. *See id.* Art. 51.14, art. III, (a), (b) (Vernon 2006). Accordingly, relator’s petition for writ of mandamus is denied. TEX. R. APP. P. 52.8(a).

PER CURIAM