

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



MEMORANDUM OPINION

No. 04-10-00177-CR

IN RE Thomas Brandon RALPH

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Karen Angelini, Justice
Steven C. Hilbig, Justice
Marialyn Barnard, Justice

Delivered and Filed: March 10, 2010

PETITION FOR WRIT OF MANDAMUS DENIED

On February 24, 2010, relator Thomas Brandon Ralph sought relief from this court regarding credit for jail time served, which we construe as a petition for writ of mandamus. However, relator has the burden of providing this court with a record sufficient to establish a right to relief. *See* TEX. R. APP. P. 52.7(a) (“Relator must file with the petition [] a certified or sworn copy of every document that is material to the relator’s claim for relief and that was filed in any underlying proceeding”); *see also* TEX. R. APP. P. 52.3(k)(1)(A). Here, relator has not provided this court with a copy of any documents to support his claim for relief. To the contrary, the record before us indicates relator is not entitled to the relief he requests. Relator contends he was “granted no credit

¹ This proceeding arises out of Cause No. 2008-CR-5193A, styled *State of Texas v. Thomas Brandon Ralph*, in the 379th Judicial District Court, Bexar County, Texas, the Honorable Ron Rangel presiding.

for the time spent in confinement prior to his conviction, specifically: December 12, 2008 thru January 15, 2009.” However, the judgment indicates it was entered on December 10, 2008, and the sentence commenced on December 10, 2008.² Therefore, based on the record before us, relator has failed to establish he was not given jail time credit he seeks. Accordingly, the petition for writ of mandamus is denied.

PER CURIAM

DO NOT PUBLISH

²[\[a\]](#) We acknowledge that relator indicates he was “found guilty” on December 12, 2008.