

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



**MEMORANDUM OPINION**

No. 04-11-00859-CV

**IN RE Aaron WILLIAMSON**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Catherine Stone, Chief Justice  
Karen Angelini, Justice  
Steven C. Hilbig, Justice

Delivered and Filed: December 21, 2011

PETITION FOR WRIT OF MANDAMUS DENIED

On December 5, 2011, relator filed a petition for writ of mandamus, which appears to complain the trial court has failed to enter an order of nondisclosure in accordance with section 411.081 of the Texas Government Code. *See* TEX. GOV. CODE ANN. § 411.081. However, in order to be entitled to mandamus relief, relator must establish the trial court: (1) had a legal duty to perform a non-discretionary act; (2) was asked to perform the act; and (3) failed or refused to do so. *In re Molina*, 94 S.W.3d 885, 886 (Tex. App.—San Antonio 2003, orig. proceeding).

Relator contends the trial court has informed him the trial court will not grant his petition until he pays the outstanding costs from his underlying criminal charge. However, we have nothing in the record to support relator's claim. Therefore, relator has failed to provide us with a

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<sup>1</sup> This proceeding arises out of Cause No.11-03-15883-CV, in the 79th Judicial District Court, Brooks County, Texas, the Honorable Richard Terrell presiding.

record showing the trial court has failed or refused to perform a non-discretionary act. *See Molina*, 94 S.W.3d at 886; *see also* TEX. R. APP. P. 52.7(a); *Walker v. Packer*, 827 S.W.2d 833, 837 (Tex. 1992) (orig. proceeding). Based on the foregoing, we conclude relator has not shown himself entitled to mandamus relief. Accordingly, relator's petition for writ of mandamus is DENIED. *See* TEX. R. APP. P. 52.8(a).

PER CURIAM