



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

**MEMORANDUM OPINION**

No. 04-15-00682-CR

**IN RE David MENCHACA**

Original Mandamus Proceeding<sup>1</sup>

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice  
Luz Elena D. Chapa, Justice  
Jason Pulliam, Justice

Delivered and Filed: November 18, 2015

PETITION FOR WRIT OF MANDAMUS DISMISSED FOR LACK OF JURISDICTION

On November 2, 2015, relator David Menchaca filed a pro se petition for writ of mandamus seeking an order from this court directing the State to respond to Menchaca's pro se motion in the underlying criminal matter. However, this court does not have jurisdiction to grant the requested relief. By statute, this court has the authority to issue a writ of mandamus against "a judge of a district or county court in the court of appeals district" and other writs as necessary to enforce our appellate jurisdiction. *See* TEX. GOV'T CODE ANN. § 22.221(a), (b) (West 2004). This court has no authority to direct the State to respond to relator's motion. The requested relief is not

---

<sup>1</sup> This proceeding arises out of Cause Nos. 2007CRD00466 D4 and 2007CRP000388 D1, styled *The State of Texas v. David Menchaca*, pending in the 406th Judicial District Court, Webb County, Texas, the Honorable Oscar J. Hale Jr. presiding.

necessary to enforce our jurisdiction. Accordingly, relator's petition for writ of mandamus is dismissed for lack of jurisdiction.

PER CURIAM

DO NOT PUBLISH