



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-16-00369-CR

IN RE Raymond **HERRON**

Original Mandamus Proceeding¹

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Karen Angelini, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: June 29, 2016

PETITION FOR WRIT OF MANDAMUS DISMISSED FOR LACK OF JURISDICTION

On June 13, 2016, relator Raymond Herron filed a pro se petition for writ of mandamus, complaining of actions taken by the City of Live Oak, Texas, Municipal Court. Relator also filed a motion to waive the filing fee for the petition.

This court's mandamus jurisdiction is governed by section 22.221 of the Texas Government Code, which expressly limits the mandamus jurisdiction of the courts of appeals to: (1) writs against a district court judge or county court judge in the court of appeals's district; and (2) all writs necessary to enforce the court of appeals's jurisdiction. TEX. GOV'T CODE ANN. § 22.221 (West 2004). Thus, this court has no authority to issue a writ of mandamus against a municipal court judge unless it is necessary to enforce our jurisdiction. *In re Chang*, 176 S.W.3d

¹This proceeding arises out of Cause No. E237088, pending in the City of Live Oak Municipal Court, Bexar County, Texas, the Honorable Ed Phillips presiding.

451, 452 (Tex. App.—Houston [1st Dist.] 2004, orig. proceeding). Relator does not argue that issuance of the writ is necessary to enforce this court’s jurisdiction. Accordingly, the petition for writ of mandamus is dismissed for want of jurisdiction. *See id.* Relator’s motion is denied as moot.

PER CURIAM

DO NOT PUBLISH