

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00399-CV

ROY E. ADDICKS, JR., Appellant

V.

RANSOM DEUCE JONES, Appellee

On Appeal from the County Court at Law No. 1
Jefferson County, Texas
Trial Cause No. 116195

MEMORANDUM OPINION

Roy E. Addicks, Jr., a Texas inmate, sued various employees of the Texas Department of Criminal Justice in small claims court. When Justice of the Peace Ransom Deuce Jones allegedly failed to acknowledge Addicks's lawsuit, Addicks filed a *pro se* petition for writ of mandamus with the County Court at Law No. 1 of Jefferson County, against Judge Jones. The County Court at Law denied Addicks's petition for writ of

mandamus. On appeal, Addicks challenges Judge Jones’s alleged failure to acknowledge his lawsuit and the County Court at Law’s denial of his petition for writ of mandamus.¹

The Jefferson County Court at Law No. 1 is a statutory county court. Tex. Gov’t Code Ann. § 25.1251(a)(1) (West 2004). “In county courts, constitutional or statutory, there is no general power to issue writs or grant equitable relief.” *Martin v. Victoria Indep. Sch. Dist.*, 972 S.W.2d 815, 818 (Tex. App.—Corpus Christi 1998, pet. denied) (citing *A&T Consultants, Inc. v. Sharp*, 904 S.W.2d 668, 671 (Tex. 1995)). Jurisdiction includes the power to “issue writs of injunction, mandamus, sequestration, attachment, garnishment, certiorari, supersedeas, and all writs necessary for the enforcement of the jurisdiction of the court.” Tex. Gov’t Code Ann. § 25.0004(a) (West 2004); *see* Tex. Const. art. V, § 16. Thus, section 25.0004(a) “provides two grants of authority to issue writs: (1) the specifically named writs when the petition for the writ pleads an amount in controversy within the county court’s limited jurisdiction; and (2) all writs necessary to the enforcement of the county court’s jurisdiction, regardless of the amount in controversy.” *Meridien Hotels, Inc. v. Lho Fin. P’Ship I, L.P.*, 97 S.W.3d 731, 736 (Tex. App.—Dallas 2003, no pet.); *see Repka v. Am. Nat’l Ins. Co.*, 143 Tex. 542, 186 S.W.2d 977, 980 (1945); *see also Martin*, 972 S.W.2d at 818; *Pounds v. Callahan*, 337 S.W.2d 148, 150 (Tex. Civ. App.—Beaumont 1960, no writ).

¹Although Addicks challenges the actions of the County Court at Law, he named Justice of the Peace Ransom Deuce Jones as the appellee in this case. Judge Jones presides over the Justice of the Peace Court, Precinct 6. Because Addicks has styled his appeal in this manner, we refer to Judge Jones as the appellee.

In this case, the record does not indicate that a writ of mandamus is necessary to enforce the County Court at Law's jurisdiction or that Addicks pleaded an amount in controversy. *See Meridien Hotels, Inc.*, 97 S.W.3d at 736-37; *see also Martin*, 972 S.W.2d at 819; *Pounds*, 337 S.W.2d at 150. For these reasons, the County Court at Law lacked jurisdiction over Addicks's petition for writ of mandamus and we lack jurisdiction to consider Addicks's appeal. *See Tex. Gov't Code Ann. § 22.220(a)* (West Supp. 2010); *see also Martin*, 972 S.W.2d at 819. We dismiss Addicks's appeal for want of jurisdiction.

DISMISSED FOR WANT OF JURISDICTION.

STEVE McKEITHEN
Chief Justice

Submitted on March 4, 2011
Opinion Delivered March 10, 2011

Before McKeithen, C.J., Gaultney and Horton, JJ.