

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00519-CV

IN RE ANTHONY LEON SUMMERS

Original Proceeding

MEMORANDUM OPINION

A petition for writ of mandamus filed by Anthony Leon Summers seeks “[t]o have sanctions lifted” and asks for injunctive relief to compel the compliance with the state and federal constitutions and state penal laws by several state officials and employees, including Attorney General Greg Abbott, Texas Department of Criminal Justice Director Brad Livingston, and Wardens Richard K. Alford, Gene A. Kroll, and Darren B. Wallace.¹ Other than to protect the jurisdiction of the Court of Appeals, this Court’s mandamus jurisdiction does not extend to persons who are not judges of a district or county court in our district. *See* Tex. Gov’t Code Ann. § 22.221 (West 2004). The

¹ Summers may be trying to avoid a vexatious litigant pre-filing order. *See* Tex. Civ. Prac. & Rem. Code Ann. § 11.101 (West 2002). He neither describes any attempt to acquire permission to file litigation nor identifies a local administrative judge from whom he sought relief. *See* Tex. Civ. Prac. & Rem. Code Ann. § 11.102 (West 2002).

persons identified in the petition are not persons against whom we may issue a writ of mandamus other than to enforce our jurisdiction, and Summers has not shown how our jurisdiction has been implicated here. *Compare In re Washington*, 7 S.W.3d 181, 182 (Tex. App.—Houston [1st Dist.] 1999, orig. proceeding), *with In re Gallardo*, 269 S.W.3d 643, 644 (Tex. App.—San Antonio 2008, orig. proceeding). Accordingly, we deny the petition without reference to the merits.

PETITION DENIED.

PER CURIAM

Opinion Delivered December 9, 2010
Before McKeithen, C.J., Kreger and Horton, JJ.