

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00594-CV

IN RE CLYDE ANAYA

Original Proceeding

MEMORANDUM OPINION

On December 27, 2010, Clyde Anaya filed an application for declaratory judgment and injunctive relief. The petition seeks to compel the Board of Pardons and Paroles to release Anaya to mandatory supervision. We notified the parties that our jurisdiction was not apparent from the petition and warned that the proceeding would be dismissed unless we received a response that showed grounds for this Court to exercise either appellate or original jurisdiction. No response has been filed.

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 party identified in the petition is not a person against whom we may issue a writ of mandamus other than to enforce our jurisdiction, and Anaya 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 dismiss the petition.

PETITION DISMISSED.

PER CURIAM

Opinion Delivered February 10, 2011
Before McKeithen, C.J., Gaultney and Horton, JJ.