

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-11-00074-CV**

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**IN RE DONALD FOSTER**

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**Original Proceeding**

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**MEMORANDUM OPINION**

A petition for writ of mandamus filed by Donald Foster asks this Court to order the District Clerk to present to the trial court motions filed by Foster in three final criminal cases. Other than to protect the jurisdiction of the Court of Appeals, this Court's mandamus jurisdiction does not extend to the District Clerk. *See* Tex. Gov't Code Ann. § 22.221 (West 2004). A mandate of affirmance previously issued in each of the cases identified in the mandamus petition. Foster has not shown that the proceedings at issue implicate the jurisdiction of this Court. Accordingly, we deny the petition for writ of mandamus.

PETITION DENIED.

PER CURIAM

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