

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00221-CR

IN RE AGUSTIN CARREON

Original Proceeding

MEMORANDUM OPINION

Agustin Carreon filed a petition for writ of mandamus to compel the convicting court to act on Carreon's post-conviction motion to amend an indictment nunc pro tunc to delete a paragraph that was abandoned by the State at trial.¹ Carreon has not shown that he has a clear and indisputable right to the relief sought in the petition. *See In re Brown*, No. WR-75485-01, 2011 WL 1417041, *2 n.10 (Tex. Crim. App. Apr. 13, 2011). Accordingly, we deny the petition for writ of mandamus.

PETITION DENIED.

¹ The indictment resulted in conviction on other counts. *See Carreon v. State*, 63 S.W.3d 37 (Tex. App.—Texarkana 2001, pet. ref'd).

PER CURIAM

Opinion Delivered May 25, 2011
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Before McKeithen, C.J., Gaultney and Kreger, JJ.