

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-19-00284-CV

IN RE ELLOYD JOHNSON

Original Proceeding
411th District Court of Polk County, Texas
Trial Cause No. CIV32131

MEMORANDUM OPINION

Pro se relator Elloyd Johnson filed a petition for writ of mandamus, in which he asks this Court to compel the district clerk to file a document in trial cause number CIV32131. The trial court dismissed said cause as frivolous, and this Court issued an opinion dismissing Johnson's appeal from the trial court's judgment because Johnson failed to comply with notices from the Clerk of the Court regarding how to proceed *in forma pauperis*. *Johnson v. Goss*, No. 09-18-00416-CV, 2019 WL

470093, at *1 (Tex. App.—Beaumont Feb. 7, 2019, no pet.) (mem. op.); *see also* Tex. Civ. Prac. & Rem. Code Ann. § 14.004 (West 2017).

The district clerk is not a person against whom we may issue a writ of mandamus other than to enforce our jurisdiction. *See* Tex. Gov't Code Ann. § 22.221(a), (b) (West Supp. 2018). Johnson has not shown that issuance of a writ against the district clerk is necessary to enforce our jurisdiction. *See id.*; *see also In re Pennington*, No. 09-08-370-CV, 2008 WL 4425521, at *1 (Tex. App.—Beaumont Oct. 2, 2008, orig. proceeding) (mem. op.). Relator has not demonstrated that he is entitled to mandamus relief from this Court. Accordingly, we deny the petition for writ of mandamus.

PETITION DENIED.

PER CURIAM

Submitted on September 11, 2019
Opinion Delivered September 12, 2019

Before McKeithen, C.J., Kreger and Johnson, JJ.