

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-22-00077-CR

IN RE FABBIAN DONTA SCOTT

Original Proceeding
Criminal District Court of Jefferson County, Texas
Trial Cause Nos. 21-36748 & 21-36749

MEMORANDUM OPINION

In a petition for a writ of mandamus, Fabbian Donta Scott asks this Court to compel the trial court to hold an evidentiary hearing and rule on a motion to quash the indictments as a matter of law. Scott complains that the trial court failed to “give an attentive ear[.]” before denying the motion to quash on January 31, 2022. Also, he complains of alleged misconduct of the prosecutor.

The record before this Court fails to establish that Scott seeks to compel a ministerial act, not involving a discretionary or judicial decision, for which he lacks an adequate remedy at law. *See State ex rel. Young v. Sixth Judicial Dist. Court of*

Appeals at Texarkana, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007) (orig. proceeding). We deny the petition for a writ of mandamus.

PETITION DENIED.

PER CURIAM

Submitted on March 22, 2022
Opinion Delivered March 23, 2022
Do Not Publish

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