

NO. 07-01-0338-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B
AUGUST 22, 2001

IN RE: JOHANSON LEE WATSON, RELATOR

Before BOYD, C.J., and REAVIS and JOHNSON, JJ.

Pending before this court is the “Motion for Leave for Permission to File a Petition for Writ of Mandamus” filed by Johanson Lee Watson, relator. Although the motion purports to be a motion for leave to file a petition for writ of mandamus, the motion contains a prayer for relief requesting this Court to “grant this petition for writ of mandamus.” Relator’s motion was not accompanied by a petition for mandamus. Because relator’s motion requests that this Court grant his petition for mandamus, we construe relator’s motion to be a petition for mandamus. We deny the petition as it fails to meet the requirements of an original proceeding pursuant to Texas Rule of Appellate Procedure 52.3. Relator failed to file a certified or sworn copy of the order complained of or any other document showing the matter of which he complains. TEX. R. APP. P. 52.3(j)(A). Furthermore, the form referenced in Tex. R. App. P. 52.3(a) through (i) is required in an original petition. Relator failed to follow rule 52.3 with regard to both form and content.

Accordingly, we deny relator's application for relief which he has entitled "Motion for Leave for Permission to File a Petition for Mandamus."

Phil Johnson
Justice

Do not publish.