

NO. 07-11-0439-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B
NOVEMBER 2, 2011

In re REIDIE JAMES JACKSON,

Relator

Original Proceeding

Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

Relator, Reidie James Jackson, has filed a petition requesting a writ of mandamus against Lubbock County District Clerk Barbara Sucsy. We dismiss the petition.

Relator complains that the district clerk has failed to file his original petition and has twice returned it unfiled. Mandamus is intended to be an extraordinary remedy, available only in limited circumstances. *In re Southwestern Bell Telephone Co., L.P.*, 235 S.W.3d 619, 623 (Tex. 2007) (orig. proceeding). Texas Government Code §22.221 expressly limits the mandamus jurisdiction of the courts of appeals to writs necessary to enforce the jurisdiction of the court of appeals and writs against specified district or county court judges in the court of appeals district. TEX. GOV'T CODE ANN. § 22.221(a), (b) (West 2004). Consequently, unless necessary to enforce our jurisdiction, we have

no jurisdiction to issue a writ of mandamus against the district clerk. *In re Coronado*, 980 S.W.2d 691, 692 (Tex. App.--San Antonio 1998, orig. proceeding) (per curiam) (noting because a district clerk is not a judge, a relator must show issuance of a writ of mandamus is necessary to enforce the jurisdiction of the court of appeals). Relator's mandamus petition does not claim, nor does it appear to seek relief designed to enforce this court's jurisdiction. Relator does not allege that he has an appeal pending before this court.

Accordingly, we dismiss the appeal for want of jurisdiction.

Brian Quinn
Chief Justice