



**In The  
Court of Appeals  
Seventh District of Texas at Amarillo**

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No. 07-16-00423-CV

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**IN RE JESUS DOMINGUEZ MATA, RELATOR**

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**OPINION ON ORIGINAL PROCEEDING FOR WRIT OF MANDAMUS**

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November 30, 2016

**MEMORANDUM OPINION**

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

Relator Jesus Dominguez Mata, an inmate proceeding *pro se*, filed a petition for writ of mandamus in the above-referenced cause. By letter dated November 17, 2016, this court directed Mata to pay the filing fee of \$155 or comply with Chapter 14 of the Civil Practice and Remedies Code by filing 1) an affidavit of indigence, 2) an affidavit relating to previous lawsuits, and 3) a certified copy of his inmate trust account. He was also told that the appeal was subject to dismissal if he did not comply. TEX. R. APP. P. 42.3(c); TEX. CIV. PRAC. & REM. CODE ANN. § 14.002(a) (West Supp. 2016) (stating that Chapter 14 applies to original proceedings brought by an inmate in an appellate court).

In response, Mata filed an affidavit of inability to pay costs and an affidavit of previous filings in which he identified a writ of habeas corpus he filed in a Hale County

court. However, Mata did not state the operative facts for which relief was sought; list the case number, cause number, and the court in which the action was brought; identify each party named in the action; nor state the result of the action as required by Chapter 14. See TEX. CIV. PRAC. & REM. CODE ANN. § 14.004(a) (West Supp. 2016). Further, Mata's affidavit of previous filings does not state whether he has or has not filed any other prior actions. Finally, Mata did not submit a copy of his inmate trust account statement, certified or otherwise. See TEX. CIV. PRAC. & REM. CODE ANN. § 14.004(c) (West Supp. 2016).

The requirement to tender an affidavit of previous filings and a certified copy of an inmate trust account is mandatory, and the lack thereof is grounds for dismissal of the original proceeding. See *In re Hereford*, No. 07-14-00348-CV, 2014 Tex. App. LEXIS 11521, at \*1-2 (Tex. App.—Amarillo Oct. 17, 2014, orig. proceeding) (holding that the failure to comply with Chapter 14 subjected the mandamus proceeding to dismissal); *In re Johnson*, No. 07-16-00354-CV, 2016 Tex. App. LEXIS 11841, at \*2 (Tex. App.—Amarillo Nov. 1, 2016, orig. proceeding) (dismissing inmate's petition for writ of mandamus for failure to pay the filing fee or submit the required Chapter 14 materials).

Accordingly, we dismiss the petition for writ of mandamus.

Brian Quinn  
Chief Justice