



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

No. 07-19-00134-CV

IN RE TERRILL E. CRUZ, RELATOR

Original Proceeding
Arising From Proceedings Before the 100th District Court
Collingsworth County, Texas
Trial Court No. 2719; Honorable Stuart Messer, Presiding

May 8, 2019

MEMORANDUM OPINION

Before CAMPBELL, PIRTLE, and PARKER, JJ.

By this original proceeding, Relator, Terrill E. Cruz, an inmate proceeding *pro se*, seeks a writ of mandamus to compel the Collingsworth County District Clerk to provide him with copies of documents related to an 11.07 writ of habeas corpus that was denied by the Texas Court of Criminal Appeals. He maintains the district clerk violated ministerial duties outlined in article 2.21 of the Texas Code of Criminal Procedure. Included with Relator's request are copies of two letters mailed to the district clerk in August and

September 2018 in which he requested the documents. We dismiss this appeal for want of jurisdiction.

This court has the authority to issue writs of mandamus against a judge of a district or county court in our district and all writs necessary to enforce our jurisdiction. TEX. GOV'T CODE ANN. § 22.221(b) (West Supp. 2018).¹ In order for a district clerk to fall within our jurisdictional reach, it must be established that the issuance of the writ of mandamus is necessary to enforce our jurisdiction. *In re Coronado*, 980 S.W.2d 691, 692-93 (Tex. App.—San Antonio 1998, orig. proceeding). Relator does not have an appeal pending in this court nor has he demonstrated that the exercise of our mandamus authority against the Collingsworth County District Clerk is necessary to enforce our jurisdiction. Consequently, we have no authority to issue a writ of mandamus against the Collingsworth County District Clerk.

Relator's petition for writ of mandamus is dismissed for want of jurisdiction.

Per Curiam

¹ Cf. TEX. GOV'T CODE ANN. § 21.001(a) (West 2004) (dictating a trial court's, as opposed to an appellate court's, authority to issue writs and orders necessary in aid of its jurisdiction).