



IN THE
TENTH COURT OF APPEALS

No. 10-10-00362-CR

IN RE JUAN MANUEL MARQUEZ

Original Proceeding

MEMORANDUM OPINION

Juan Manuel Marquez seeks a writ of mandamus compelling Respondent, the Honorable David R. Lloyd, District Clerk of Johnson County, to transmit certain records to the trial court.¹ However, this Court can issue a writ of mandamus against a district clerk only when necessary to protect or enforce our jurisdiction. *See* TEX. GOV'T CODE ANN. §§ 22.221(a) (Vernon 2004); *In re Simmonds*, 271 S.W.3d 874, 879 (Tex. App.—Waco

¹ We apply Rule of Appellate Procedure 2 and disregard numerous deficiencies in Marquez's mandamus petition and the accompanying motion for leave to file the mandamus petition, including his failure to serve copies of these documents on Respondent or the prosecutor. *See* TEX. R. APP. P. 2.

2008, orig. proceeding). The relief Marquez seeks does not impact our jurisdiction.

Accordingly, we deny his mandamus petition.²

FELIPE REYNA
Justice

Before Chief Justice Gray,
Justice Reyna, and
Justice Davis

Petition denied

Opinion delivered and filed October 20, 2010

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[OT06]

² We dismiss the motion for leave to file the mandamus petition as moot because such a motion is not required under the current appellate rules. *See* TEX. R. APP. P. 52 cmt.; *In re McGee*, 213 S.W.3d 405, 406 n.2 (Tex. App.—Houston [1st Dist.] 2006, orig. proceeding) (per curiam).