



IN THE
TENTH COURT OF APPEALS

No. 10-12-00290-CV

IN RE CHARLOTTE COSTLEY

Original Proceeding

MEMORANDUM OPINION

In this original proceeding, Relator seeks mandamus relief relating to an administrative law judge's apparently adverse decision on her claim for Social Security disability benefits. A state court of appeals has no jurisdiction to issue a writ of mandamus against a federal administrative law judge. *See* TEX. GOV'T CODE ANN. § 22.221 (West 2004). We lack jurisdiction over this original proceeding and dismiss it.¹

REX D. DAVIS
Justice

¹ Relator's petition for writ of mandamus has several procedural deficiencies. It does not include the certification required by Rule of Appellate Procedure 52.3(j). *See* TEX. R. APP. P. 52.3(j). It lacks an appendix and a certified or sworn record, as required by Rules 52.3(k) and 52.7(a)(1). *See id.* 52.3(k), 52.7(a)(1). And, it lacks proof of service. A copy of all documents presented to the Court must be served *on all parties* to the proceeding and must contain proof of service. *Id.* 9.5; 52.2. Because of our disposition and to expedite it, we will implement Rule 2 and suspend these rules in this proceeding. *Id.* 2.

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins

Petition dismissed

Opinion delivered and filed August 23, 2012

[OT06]