



IN THE
TENTH COURT OF APPEALS

No. 10-16-00071-CR

IN RE STEVEN LAMONT JOHNSON

Original Proceeding

MEMORANDUM OPINION

By petition for writ of mandamus, Steven Lamont Johnson, an inmate, asks this Court to order the trial court to grant Johnson's Motion for Judgment Nunc Pro Tunc which has allegedly been on file with the trial court since August of 2015. Johnson's petition fails to comply with numerous rules regarding original proceedings, *see* TEX. R. APP. P. 52 et seq.; however, we suspend the operation of those rules to expedite a decision in this proceeding. TEX. R. APP. P. 2.

Although we may compel a court to consider a motion, mandamus is not available to require the court to rule a certain way on a motion. *State ex rel. Young v.*

Sixth Judicial Dist. Court of Appeals at Texarkana, 236 S.W.3d 207, 210 (Tex. Crim. App. 2007); *State ex rel. Curry v. Gray*, 726 S.W.2d 125, 128 (Tex. Crim. App. 1987); *In re Birdwell*, 393 S.W.3d 886, 892 (Tex. App.—Waco 2012, orig. proceeding). Accordingly, Johnson’s petition for writ of mandamus is denied.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins

Petition denied

Opinion delivered and filed March 24, 2016

Do not publish

[OT06]

