



**IN THE
TENTH COURT OF APPEALS**

No. 10-21-00178-CR

IN RE BILLY BOOKER

Original Proceeding

**From the 413th District Court
Johnson County, Texas
Trial Court No. F48257**

MEMORANDUM OPINION

Relator's "Plaintiff's Original Application for Writ of Mandamus" was filed on July 27, 2021. Relator's request for mandamus relief against the Honorable William Bosworth, judge of the 414th District Court, is denied.

Further, we do not have mandamus jurisdiction to compel the district clerk or the district attorney to take any action except in rare circumstances which are not present here. See TEXAS GOV'T CODE § 22.221(a), (b); see also *In re Simmonds*, 271 S.W.3d 874, 879 (Tex. App. – Waco 2008, orig. proceeding). Accordingly, relator's request for mandamus relief against the Johnson County District Clerk and District Attorney is dismissed.

TOM GRAY
Chief Justice

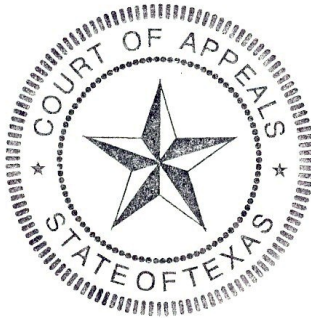
Before Chief Justice Gray,
Justice Johnson, and
Justice Rose¹

Petition denied in part and dismissed in part

Opinion delivered and filed August 4, 2021

Do not publish

[OT06]



¹ The Honorable Jeff Rose, Former Chief Justice of the Third Court of Appeals, sitting by assignment of the Chief Justice of the Texas Supreme Court. *See* TEX. GOV'T CODE §§ 74.003, 75.002, 75.003.