

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

**ON REHEARING**

**NO. 03-13-00468-CV  
NO. 03-13-00557-CV**

**In re Chase Carmen Hunter**

**ORIGINAL PROCEEDINGS FROM TRAVIS COUNTY**

**MEMORANDUM OPINION**

Our opinion dated October 2, 2013 is withdrawn sua sponte, and this opinion is substituted in its place. Hunter's motions for reconsideration en banc are dismissed as moot.

Relator Chase Carmen Hunter has filed two mandamus proceedings complaining about the trial court clerk's refusal to allow her to proceed as an indigent and the inaction by two trial court judges following her attempts to file documents directly with them seeking mandamus relief against the clerk.<sup>1</sup> We lack jurisdiction over the trial court clerk except in rare instances when action is necessary to preserve our appellate jurisdiction, *see* Tex. Gov't Code § 22.221, and Hunter has not established a right to mandamus relief against the trial court judges. We therefore deny the petitions for writ of mandamus.

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<sup>1</sup> Hunter also complained of one judge's failure to act when she attempted to file a petition for judicial review directly with that judge, but because the petition has since been filed and assigned a trial court cause number, that complaint is moot.

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David Puryear, Justice

Before Justices Puryear, Rose and Goodwin

Filed: January 7, 2014