

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-17-00047-CV

NO. 03-17-00067-CV

In re Herman Lee Kindred

ORIGINAL PROCEEDING FROM BELL COUNTY

MEMORANDUM OPINION

Relator Herman Lee Kindred, an inmate proceeding pro se, has filed multiple petitions for writ of mandamus with this Court, all of which have been denied, typically because this Court lacks authority to provide the relief he seeks.¹ He has now filed two more with similar problems. In cause number 03-17-00047-CV, Kindred asks this Court to compel the Bell County Clerk to return \$15.00 that Kindred claims to have sent to the county clerk's office for payment of various fees. In cause number 03-17-00067-CV, Kindred asks us to compel the Bell County District Attorney to comply with various statutory provisions. This Court, however, does not have

¹ See *In re Kindred*, No. 03-16-00819-CV, 2016 Tex. App. LEXIS 13156, at *1 (Tex. App.—Austin Dec. 13, 2016, orig. proceeding) (mem. op.); *In re Kindred*, No. 03-16-00550-CV, 2016 Tex. App. LEXIS 9532, at *1-2 (Tex. App.—Austin Aug. 30, 2016, orig. proceeding) (mem. op.); *In re Kindred*, No. 03-16-00481-CV, 2016 Tex. App. LEXIS 7908 (Tex. App.—Austin July 26, 2016, orig. proceeding) (mem. op.); *In re Kindred*, No. 03-16-00423-CV, 2016 Tex. App. LEXIS 7099, at *3 (Tex. App.—Austin July 7, 2016, orig. proceeding) (mem. op.); see also *Kindred v. Stephens*, No. 6-16-CV-0013 RP, 2016 U.S. Dist. LEXIS 44449, at *1-6 (W.D. Tex., Apr. 1, 2016) (order); *Kindred v. State*, Nos. 03-16-00163-CR, 00164-CR, 00165-CR, 00166-CR, 2016 Tex. App. LEXIS 3399 (Tex. App.—Austin Apr. 1, 2016, no pet.) (mem. op., not designated for publication); *Kindred v. State*, Nos. 03-15-00776-CR, 00777-CR, 00778-CR, 2016 Tex. App. LEXIS 343 (Tex. App.—Austin Jan. 14, 2016, no pet.) (mem. op., not designated for publication).

mandamus jurisdiction over either a county clerk or a district attorney unless necessary to enforce our jurisdiction.² Once again, our jurisdiction is not implicated in either cause. We deny both petitions for writ of mandamus.³

Bob Pemberton, Justice

Before Justices Puryear, Pemberton, and Goodwin

Filed: February 3, 2017

² See Tex. Gov't Code § 22.221(a); *In re Washington*, 7 S.W.3d 181, 182 (Tex. App.—Houston [1st Dist.] 1999, orig. proceeding) (mem. op.) (per curiam).

³ See Tex. R. App. P. 52.8(a).