

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

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**NO. 03-17-00660-CV**

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**In re Bobby McVade**

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**ORIGINAL PROCEEDING FROM TRAVIS COUNTY**

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**MEMORANDUM OPINION**

Relator Bobby McVade has filed a petition for writ of mandamus asking this Court to issue a writ of mandamus directed to the Texas Department of State Health Services. *See* Tex. Gov't Code § 22.221; *see also* Tex. R. App. P. 52.1.

This Court does not have mandamus jurisdiction over the Texas Department of State Health Services. By statute, this Court has the authority to issue a writ of mandamus against “a judge of a district or county court in the court of appeals district” and other writs as necessary to enforce our appellate jurisdiction. *See* Tex. Gov't Code § 22.221. The Texas Department of State Health Services is not a party against whom we may issue a writ of mandamus. Nor has Relator demonstrated that the exercise of our writ power is necessary to enforce our jurisdiction. We have no jurisdiction to grant Relator the relief he seeks.

Accordingly, the petition is dismissed for want of jurisdiction.

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Melissa Goodwin, Justice

Before Chief Justice Rose, Justices Pemberton and Goodwin

Filed: October 12, 2017