

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

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**NO. 03-19-00886-CV**

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**In re Jorge Oracio Benavides**

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**ORIGINAL PROCEEDING FROM WILLIAMSON COUNTY**

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**MEMORANDUM OPINION**

In 2009, Jorge Oracio Benavides was convicted of the offenses of organized criminal activity and aggravated kidnapping, and the trial court entered an affirmative deadly-weapon finding for each conviction. *See* Tex. Penal Code §§ 20.04, 71.02. Benavides has now filed a petition for writ of mandamus challenging the propriety of the deadly-weapon findings. *See* Tex. R. App. P. 52.1. In a prior petition, Benavides presented similar challenges to the deadly-weapon findings, and this Court denied the petition because Benavides failed to show that he had “a clear right to the relief sought.” *See In re Benavides*, No. 03-18-00382-CV, 2018 WL 3118085, at \*2 (Tex. App.—Austin June 26, 2018, orig. proceeding) (mem. op.). For the same reasons that we previously expressed, we deny Benavides’s current petition for writ of mandamus. *See* Tex. R. App. P. 52.8(a).

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Thomas J. Baker, Justice

Before Justices Goodwin, Baker, and Kelly

Filed: December 18, 2019