

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

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**NO. 03-21-00205-CV**

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**In re Bobby Oxford, Sr.**

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**ORIGINAL PROCEEDING FROM RUNNELS COUNTY**

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**MEMORANDUM OPINION**

Relator Bobby Oxford, Sr., an inmate in the Texas Department of Criminal Justice, has filed a pro se petition for writ of mandamus directed to John H. Best, the District Attorney of Runnels County, Texas. *See* Tex. Gov't Code § 22.221; *see also* Tex. R. App. P. 52.1.

This Court does not have mandamus jurisdiction over a district attorney. *See In re Smith*, 03-19-00734-CV, 2019 WL 6121405, at \*1 (Tex. App.—Austin Nov. 19, 2019, orig. proceeding) (mem. op.); *Roberts v. Lowry*, 742 S.W.2d 747, 748 (Tex. App.—Houston [1st Dist.] 1987, no writ). By statute, this Court has the authority to issue a writ of mandamus against “a judge of a district, statutory county, statutory probate county, 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. Thus, the District Attorney of Runnels County is not a party against whom we may issue a writ of mandamus unless necessary to enforce our jurisdiction. Relator has not

demonstrated that our jurisdiction is implicated here. 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 Justices Goodwin, Triana, and Kelly

Filed: May 19, 2021