



**NUMBER 13-08-00450-CR**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN RE DONALD WAYNE THIELEMAN**

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**On Petition for Writ of Mandamus.**

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**MEMORANDUM OPINION**

**Before Justices Rodriguez, Garza, and Vela  
Per Curiam Memorandum Opinion<sup>1</sup>**

Relator, Donald Wayne Thieleman, filed a petition for writ of mandamus in the above cause on July 25, 2008. This petition for writ of mandamus was originally filed in this Court as a criminal, rather than civil, cause. Based on recent analysis from the Texas Court of Criminal Appeals, however, we will transfer this matter to our civil cause number 13-08-00631-CV, and will consider it therein. See *In re Johnson*, No. AP-75,898, slip. op.

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<sup>1</sup> See TEX. R. APP. P. 52.8(d) ("When denying relief, the court may hand down an opinion but is not required to do so."); TEX. R. APP. P. 47.4 (distinguishing opinions and memorandum opinions).

¶ 22 (Tex. Crim. App. Oct. 29, 2008) (orig. proceeding), *available at*  
<http://www.cca.courts.state.tx.us/OPINIONS/HTML/OPINIONINFO.ASP?OPINIONID=17>

534. Therefore, this criminal cause is hereby DISMISSED.

PER CURIAM

Do not publish. See TEX. R. APP. P. 47.2(b).

Memorandum Opinion delivered and filed  
this 12th day of November, 2008.