



NUMBER 13-08-00478-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE BILLY J. BASHAM

On Petition for Writ of Mandamus

MEMORANDUM OPINION

Before Justices Rodriguez, Garza, and Vela
Memorandum Opinion¹Per Curiam

Relator, Billy J. Basham, filed a petition for writ of mandamus in the above cause on August 11, 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 13-08-00629-CV, and will consider it therein. *See In re Johnson*, No. AP-75,898, slip. op. ¶ 22 (Tex. Crim. App. Oct. 29, 2008) (orig. proceeding), *available at*

¹ 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).

<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Do not publish.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 13th day of November, 2008.