



NUMBER 13-08-00613-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE FERNANDO GARCIA

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Benavides
Per Curiam Memorandum Opinion¹**

Relator, Fernando Garcia, pro se, seeks a writ of mandamus ordering the trial court to provide him with the record pertaining to his conviction for intoxication manslaughter.² This Court previously affirmed the conviction. *See Garcia v. State*, No. 13-06-00488-CR, 2008 Tex. App. LEXIS 5990, at *8 (Tex. App.—Corpus Christi Aug. 7, 2008, no pet.) (mem.

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).

² This Court previously considered and denied a similar petition for writ of mandamus filed by relator in this cause. *See In re Garcia*, No. 13-08-00568-CR, 2008 Tex. App. LEXIS 7650, at *1 (Tex. App.—Corpus Christi Oct. 10, 2008, orig. proceeding) (per curiam) (not designated for publication).

op. not designated for publication). In that appeal, relator was represented by appointed counsel.

The Court, having examined and fully considered the petition for writ of mandamus, is of the opinion that relator has not shown himself entitled to the relief sought. Accordingly, the petition for writ of mandamus is DENIED. See TEX. R. APP. P. 52.8(a).

PER CURIAM

Do not publish.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

Memorandum Opinion delivered and filed this 6th day of November, 2008.