



NUMBERS 13-11-00121-CR & 13-11-00122-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

IN RE: REGINALD ANDRE CALLIS

On Petition for Writ of Mandamus.

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Benavides
Memorandum Opinion Per Curiam ¹**

Relator, Reginald Andre Callis, pro se, filed a petition for writ of mandamus in the above causes on March 9, 2011.² Relator seeks to compel the trial court: (1) to allow relator to withdraw his plea of guilty in trial court cause number 08-3-7806; and (2) to allow relator to withdraw his waiver of the right to appeal in trial court cause number 08-4-7851. Relator previously appealed his convictions in both of these matters. See

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 That same day, relator also filed a “Motion to Request Leave to File His Original Petition for Writ of Mandamus.” Relator’s motion for leave to file his petition for writ of mandamus is dismissed as moot. The Texas Rules of Appellate Procedure no longer require the relator to file a motion for leave to file an original proceeding. See *Generally* TEX. R. APP. P. 52 & cmt.

Callis v. State, No. 13-08-00388-CR, 2008 Tex. App. LEXIS 7948, at **1-2 (Tex. App.–Corpus Christi Oct. 16, 2008, no pet.) (mem. op. per curiam, not designated for publication) (dismissing appeal of conviction in trial court cause number 08-4-7851 for possession with intent to deliver cocaine where the trial court’s certification showed that appellant had waived the right to appeal and appellant’s counsel failed to show that the trial court’s certification was incorrect); *Callis v. State*, No. 13-08-00387-CR, 2008 Tex. App. LEXIS 7896, at **1-2 (Tex. App.–Corpus Christi Oct. 16, 2008, no pet.) (mem. op. per curiam, not designated for publication) (dismissing appeal of conviction in trial court cause number 08-3-7806 for possession with intent to deliver cocaine where the trial court’s certification showed that it was a plea bargain case with no right of appeal and appellant’s counsel failed to show that the certification was incorrect). .

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, and the petition for writ of mandamus in each of these causes should be denied. See TEX. R. APP. P. 52.8. Accordingly, the petition for writ of mandamus is DENIED.

PER CURIAM

Do not publish.
See Tex. R. App. P. 47.2(b).

Delivered and filed this
14th day of March, 2011.