



**NUMBER 13-11-00221-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**IN RE APOLONIO VILLARREAL**

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**On Petition for Writ of Mandamus  
and Motion for Emergency Stay.**

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**MEMORANDUM OPINION**

**Before Chief Justice Valdez and Justices Rodriguez and Benavides  
Per Curiam Memorandum Opinion<sup>1</sup>**

Relator, Apolonio Villarreal, filed a petition for writ of mandamus and a motion for emergency stay in the above cause on April 12, 2011. Through this original proceeding, relator seeks to set aside various rulings issued by an administrative law judge in docket number 454-10-0970.C, currently pending in the State Office of Administrative Hearings.

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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).

This Court's original jurisdiction is governed by section 22.221 of the Texas Government Code. See TEX. GOV'T CODE ANN. § 22.221 (Vernon 2004). Section 22.221(b) expressly limits the mandamus jurisdiction of the courts of appeals to writs of mandamus issued against “a judge of a district or county court in the court of appeals’ district” or against a “judge of a district court who is acting as a magistrate at a court of inquiry . . . in the court of appeals district.” See *id.* § 22.221(b). The Court may also issue “all other writs necessary to enforce the jurisdiction of the court.” See *id.* § 22.221(a); *In re Richardson*, 327 S.W.3d 848, 851 (Tex. App.–Fort Worth 2010, orig. proceeding); *In re Phillips*, 296 S.W.3d 682, 684 (Tex. App.–El Paso 2009, orig. proceeding).

The Court, having examined and fully considered the petition for writ of mandamus and motion for emergency stay, is of the opinion that we lack jurisdiction over this matter. Accordingly, the petition for writ of mandamus and motion for emergency stay are DISMISSED for want of jurisdiction. See TEX. R. APP. P. 52.8(a), (d).

PER CURIAM

Delivered and filed the  
12th day of April, 2011.