

NO. 12-09-00144-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*IN RE: AMY BETTS WEAVER,
RELATOR*

§

§ *ORIGINAL PROCEEDING*

§

***MEMORANDUM OPINION
PER CURIAM***

Relator Amy Betts Weaver seeks a writ of mandamus requiring Respondent, the Honorable Terry Bailey, Judge of the County Court at Law, Panola County, Texas, to grant her motion to transfer the underlying modification proceeding to Rusk County. Weaver has filed a motion for temporary relief requesting a stay of the underlying proceeding pending our disposition of her petition for writ of mandamus.

Each court of appeals for a court of appeals district may issue all writs of mandamus, agreeable to the principles of law regulating those writs, against a judge of a district or county court in the court of appeals district. TEX. GOV'T CODE ANN. § 22.221(b)(1) (Vernon 2004). The respondent in this original proceeding is a judge in Panola County. However, Panola County lies within the Sixth Court of Appeals District. TEX. GOV'T CODE ANN. § 22.201(b)(1) (Vernon Supp. 2008). Consequently, this court has no jurisdiction to grant the requested relief. Accordingly, we take no action on Weaver's motion for temporary relief and *dismiss* this original proceeding.

Opinion delivered May 15, 2009.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(PUBLISH)