

NO. 12-14-00313-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

IN RE: §
JAMAL TERRELL BOWENS, § *ORIGINAL PROCEEDING*
RELATOR §

MEMORANDUM OPINION
PER CURIAM

Relator seeks a writ of mandamus compelling the trial court to rule on his motion for a free copy of the record and his motion to convene a court of inquiry and require the trial judge to recuse himself from presiding over that proceeding.¹

“Those seeking the extraordinary remedy of mandamus must follow the applicable procedural rules. Chief among these is the critical obligation to provide the reviewing court with a complete and adequate record.” *In re Le*, 335 S.W.3d 808, 813 (Tex. App.–Houston [14th Dist.] 2011, orig. proceeding). Here, we have notified Relator of various defects in his mandamus petition, including his failure to file either an appendix or a record. *See* TEX. R. APP. P. 52.3(k), 52.7(a). Without an appendix or a record, we are unable to determine that Relator is entitled to mandamus relief. Accordingly, we *deny* Relator’s petition for writ of mandamus.

Opinion delivered November 5, 2014.

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

(PUBLISH)

¹ The respondent is the Honorable Dwight L. Phifer, Judge of the 2nd Judicial District Court, Cherokee County.



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

NOVEMBER 5, 2014

NO. 12-14-00313-CV

JAMAL TERRELL BOWENS,

Relator

V.

HON. DWIGHT L. PHIFER,

Respondent

Appeal from the 2nd District Court
of Cherokee County, Texas (Tr.Ct.No. J-03-088)

ON THIS DAY came to be heard the petition for writ of mandamus filed by **JAMAL TERRELL BOWENS**, who is the relator in Cause No.J-03-088, pending on the docket of the 2nd Judicial District Court of Cherokee County, Texas. Said petition for writ of mandamus having been filed herein on October 30, 2014, and the same having been duly considered, because it is the opinion of this Court that a writ of mandamus should not issue, it is therefore **CONSIDERED, ADJUDGED and ORDERED** that the said petition for writ of mandamus be, and the same is, hereby **DENIED**.

By *per curiam* opinion.

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