Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-16-00166-CR

IN RE Robert **MARTINEZ**

Original Mandamus Proceeding[1]

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Rebeca C. Martinez, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: April 13, 2016

PETITION FOR WRIT OF MANDAMUS DISMISSED FOR LACK OF JURISDICTION

On March 29, 2016, relator Robert Martinez filed a pro se petition for writ of mandamus seeking an order from this court directing the clerk of the trial court to perform certain functions. However, this court does not have jurisdiction to grant the requested relief. By statute, this court has the authority to issue a writ of mandamus against "a judge of a district or county court in the court of appeals district" and other writs as necessary to enforce our appellate jurisdiction. *See* TEX. GOV'T CODE ANN. § 22.221(a)-(b) (West 2004). Relator seeks relief against the clerk of the court, not a district or county court judge and we conclude the requested writ is not necessary to

[1] This proceeding arises out of Cause No. 587693, styled *The State of Texas v. Robert Martinez*, pending in County Court at Law No. 5, Bexar County, Texas, the Honorable John A. Longoria presiding.

enforce our jurisdiction in this instance. Accordingly, relator's petition for writ of mandamus is dismissed for lack of jurisdiction.

PER CURIAM

DO NOT PUBLISH