COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

IN RE: ERIC FLORES, Relator.	§	No. 08-16-00088-CR
	§	ORIGINAL PROCEEDING
	§	ON PETITION FOR WRIT OF
	§	MANDAMUS

MEMORANDUM OPINION

Relator, Eric Flores, has filed a petition for writ of mandamus against the El Paso County District Clerk. Relator contends that the District Clerk has failed to transmit to the Court of Criminal Appeals Relator's application for writ of habeas corpus filed pursuant to Article 11.07 of the Texas Code of Criminal Procedure. *See* TEX.CODE CRIM.PROC.ANN. art. 11.07 (West 2015). We dismiss the mandamus petition for lack of jurisdiction.

This Court does not have mandamus jurisdiction over a district clerk unless it is shown that issuance of the writ is necessary to enforce our jurisdiction. *See* TEX.GOV'T CODE ANN. § 22.221(a), (b) (West 2004); *In re Simmonds*, 271 S.W.3d 874, 879 (Tex.App.--Waco 2008, orig. proceeding); *In re Smith*, 263 S.W.3d 93, 95 (Tex.App.--Houston [1st Dist.] 2006, orig. proceeding). The District Clerk's alleged failure to forward an Article 11.07 writ application to the Court of Criminal Appeals does not implicate our jurisdiction. Consequently, we dismiss the petition for writ of mandamus for lack of jurisdiction.

STEVEN L. HUGHES, Justice

May 18, 2016

Before McClure, C.J., Rodriguez, and Hughes, JJ.

(Do Not Publish)