

**Petition for Writ of Mandamus Dismissed and Memorandum Opinion filed  
June 16, 2020.**



**In The**  
**Fourteenth Court of Appeals**

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**NO. 14-20-00379-CV**

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**IN RE KEVIN MARVIN, Relator**

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**ORIGINAL PROCEEDING  
WRIT OF MANDAMUS  
26th District Court  
Williamson County, Texas  
Trial Court Cause No. 18-0595-C26**

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**MEMORANDUM OPINION**

On May 27, 2020, relator Kevin Martin filed a petition for writ of mandamus in this court. Relator complains of the March 11, 2020 order reinstating the underlying case signed by the Honorable Donna King, presiding judge of the 26th District Court of Williamson County. Relator appealed the same order to the Third Court of Appeals. The appeal was transferred to this court pursuant to the March

31, 2020 transfer order issued by the Texas Supreme Court and is pending in cause number 14-20-00338-CV.

A court of appeals may issue writs of mandamus against (1) a judge of a district, statutory county, statutory probate county, or county court in the court of appeals district; (2) a judge of a district court who is acting as a magistrate at a court of inquiry under Chapter 52 of the Texas Code of Criminal Procedure in the court of appeals district; or (3) an associate judge of a district or county court appointed by a judge under Chapter 201 of the Texas Family Code in the court of appeals district for the judge who appointed the associate judge. Tex. Gov't Code Ann. § 22.221(b). This court may also issue writs of mandamus necessary to enforce this court's jurisdiction. *Id.* § 22.221(a).

Williamson County is not within our appellate district. *See* Tex. Gov't Code Ann. *Id.* § 22.201(o). Instead, Williamson County is within the district of the Third Court of Appeals. *Id.* § 22.201(d). The extent of our jurisdiction over a transferred case is limited to the specific matters that were transferred. *See In re Bibbs*, No. 07-12-00212-CV, 2012 WL 2368611, at \*1 (Tex. App.—Amarillo June 22, 2012, orig. proceeding) (mem. op.) (citing Tex. Gov't Code Ann. § 73.002); *see also In re Ballard*, No. 06-03-00141-CV, 2003 WL 22481672, at \*1 (Tex. App.—Texarkana, orig. proceeding) (mem. op.) (explaining that Texas Supreme Court orders directing transfer of cases under docket equalization process explicitly exclude transfer of original proceedings). Relator has offered no explanation regarding how the issuance of a mandamus against the trial judge of the 26th District Court of Williamson County would be necessary to enforce this court's jurisdiction. *See* Tex. Gov't Code Ann. § 22.221(a).

There is no statutory authority that would permit this court to exercise mandamus jurisdiction over a trial judge sitting in Williamson County. *See Bibbs*, 2012 WL 2368611, at \*1. Therefore, the transfer of the appeal to this court does not provide this court with jurisdiction over this original proceeding. *See id.*; *Ballard*, 2003 WL 22481672, at \*1. Relator may file a petition for writ of mandamus in the Third Court of Appeals and request an order transferring the proceeding to this court.

Accordingly, relator's petition is dismissed for lack of jurisdiction.

PER CURIAM

Panel consists of Justices Christopher, Jewell, and Hassan.