

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-20-00254-CV

In re Alejandro B. Suchil

ORIGINAL PROCEEDING FROM TRAVIS COUNTY

MEMORANDUM OPINION

Relator Alejandro B. Suchil, an inmate in the Texas Department of Criminal Justice (TDCJ), has filed a pro se petition for writ of mandamus. Suchil requests that this Court compel Bryan Collier, the Executive Director of the TDCJ, to take immediate action to provide each prisoner at the LeBlanc Unit equal protection of the law by placing the prisoners in celled facilities and closing the LeBlanc Unit because the open-dormitory housing does not allow them to practice social distancing to combat the COVID-19 outbreak, as required by the executive orders of the President of the United States and the Governor of Texas. Suchil also requests that we compel Pamela Thielke, the Director of the Parole Division of the TDCJ, to reduce the LeBlanc Unit prisoner population by releasing to parole certain qualifying prisoners to protect them from exposure to COVID-19, due to the hazard posed by the lack of social distancing.

We have no jurisdiction to grant Suchil's requested relief. By statute, this Court has no authority to issue a writ of mandamus against these State officials unless required to enforce our jurisdiction. *See* Tex. Gov't Code § 22.221 (establishing that intermediate appellate

courts have jurisdiction to issue writs of mandamus only against certain types of judges and to enforce appellate courts' own jurisdiction); *In re Washington*, 7 S.W.3d 181, 182 (Tex. App.—Houston [1st Dist.] 1999, orig. proceeding). Suchil has not demonstrated that the requested relief is necessary to enforce our appellate jurisdiction. *See In re Roberson*, No. 13-15-00598-CV, 2015 WL 9285850, at *2 (Tex. App.—Corpus Christi Dec. 21, 2015, orig. proceeding) (dismissing petition seeking to compel prison officials to comply with state laws). Accordingly, we dismiss his petition for writ of mandamus for want of jurisdiction.

Edward Smith, Justice

Before Justices Goodwin, Kelly, and Smith

Filed: May 29, 2020