

COURT OF APPEALS OF TEXAS, FIFTH DISTRICT AT DALLAS

In re LeDouglas Johnson

No. 05-14-00044-CV · No. No. 05-14-00044-CV · Decided January 14, 2014

SUMMARY

LeDouglas Johnson sought mandamus relief challenging the Dallas County Democratic Party Chair's failure to reject Roberto Cañas, Jr.'s application for inclusion on the 2014 Dallas County Democratic primary ballot. The Fifth District Court of Appeals at Dallas denied the petition, concluding that Johnson had not shown entitlement to the requested relief.

CASE DETAILS

COURT	Court of Appeals of Texas, Fifth District at Dallas
WRITING FOR THE COURT	David Bridges; Justice Lang-Miers; Justice Myers
JURISDICTION	Texas
DECIDED	January 14, 2014
DOCKET	No. 05-14-00044-CV
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original proceeding in which LeDouglas Johnson petitioned for a writ of mandamus challenging the Dallas County Democratic Party Chair's failure to reject Roberto Cañas, Jr.'s application for inclusion on the 2014 Dallas County Democratic Primary Ballot.
STANDARD OF REVIEW	Mandamus relief requires the relator to demonstrate entitlement to the requested relief; the court cited Walker v. Packer for the governing mandamus standard.
PRECEDENTIAL VALUE	Unpublished memorandum opinion; precedential status is not established by the document text.
PARTIES	LeDouglas Johnson, Relator v. Darlene Ewing, Dallas County Democratic Party Chair

TOPICS

- appellate procedure
- ballot access
- election law
- election administration

PRACTICE AREAS

appellate procedure

election law

ballot access

mandamus

QUESTIONS PRESENTED

1. Whether LeDouglas Johnson was entitled to a writ of mandamus requiring Dallas County Democratic Party Chair Darlene Ewing to reject Roberto Cañas, Jr.'s application for inclusion on the 2014 Dallas County Democratic primary ballot.

HOLDINGS

1. Mandamus relief was denied because the relator failed to show that he was entitled to the requested relief.

KEY QUOTATIONS

“Accordingly, we *DENY* relator=s petition for writ of mandamus.”

FACTUAL BACKGROUND

LeDouglas Johnson challenged Roberto Cañas, Jr.'s application for inclusion on the 2014 Dallas County Democratic primary ballot. Johnson alleged that Dallas County Democratic Party Chair Darlene Ewing improperly failed to reject the application. The court concluded that the record did not establish Johnson's entitlement to mandamus relief.

PROCEDURAL HISTORY

LeDouglas Johnson filed a petition for writ of mandamus in the Fifth District Court of Appeals at Dallas. He argued that Dallas County Democratic Party Chair Darlene Ewing improperly failed to reject Roberto Cañas, Jr.'s ballot application. The court denied the petition.

DISPOSITION

writ_denied

CASES CITED

- Walker v. Packer, 827 S.W.2d 833, 839-40 (Tex. 1992) (orig. proceeding)

OPINION

PER CURIAM.

Denied and Opinion Filed January 14, 2014 S In The Court of Appeals Fifth District of Texas at Dallas No. 05-14-00044-CV IN RE LEDOUGLAS JOHNSON, Relator Original Proceeding in the Fifth District Court of Appeals Dallas County, Texas MEMORANDUM OPINION Before Justices Bridges, Lang-Miers, and Myers Opinion by Justice Bridges Before the Court is the Petition for Writ of Mandamus filed by LeDouglas Johnson in which he contends that the Dallas County

Democratic Party Chair, Darlene Ewing, improperly failed to reject the application of Roberto Cañas, Jr. for inclusion on the 2014 Dallas County Democratic Primary Ballot.

The facts and issues are well known to the parties, so we need not recount them herein. Based on the record before us, we conclude relator has not shown he is entitled to the relief requested. See TEX. R. APP. P. 52.8(a); Walker v. Packer, 827 S.W.2d 833, 839-40 (Tex. 1992) (orig. proceeding).

Accordingly, we DENY relator=s petition for writ of mandamus. 140044F.P05 /David Bridges/
DAVID BRIDGES JUSTICE