

COURT OF APPEALS FOR THE TENTH APPELLATE DISTRICT OF TEXAS

In re James Morgan

No. 10-26-00237-CR · No. 10-26-00237-CR · Decided June 25, 2026

SUMMARY

The Tenth Court of Appeals of Texas dismissed James Morgan’s pro se petition for writ of mandamus. The court held that it lacked original jurisdiction to issue mandamus against the Ellis County Sheriff’s Office or unnamed county officials, because its statutory original jurisdiction is limited to certain judges.

CASE DETAILS

COURT	Court of Appeals for the Tenth Appellate District of Texas
WRITING FOR THE COURT	Justice Harris; Chief Justice Johnson; Justice Smith
JURISDICTION	Court of Appeals for the Tenth Appellate District of Texas
DECIDED	June 25, 2026
DOCKET	10-26-00237-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original proceeding on a pro se petition for writ of mandamus seeking an order compelling the Ellis County Sheriff's Office and unnamed Ellis County officials to release James Morgan from jail under article 17.151 of the Texas Code of Criminal Procedure.
PRECEDENTIAL VALUE	Nonprecedential; opinion marked Do Not Publish.
PARTIES	James Morgan v. Ellis County Sheriff's Office, Unnamed Ellis County Officials

TOPICS

- appellate jurisdiction
- writ of certiorari
- appellate procedure
- criminal procedure
- remedies

PRACTICE AREAS

- Appellate procedure
- Criminal procedure
- Mandamus

QUESTIONS PRESENTED

1. Whether the Court of Appeals has original jurisdiction to issue a writ of mandamus against a sheriff or county officials.

HOLDINGS

1. The Court of Appeals lacks original jurisdiction to issue a writ of mandamus against a sheriff or county officials; its original mandamus jurisdiction extends only to specified judges within the district.

KEY QUOTATIONS

“Because we are a court of appeals, we have original and appellate jurisdiction only as authorized by law.”
(Page 1)

“We do not have original jurisdiction to issue a writ of mandamus against a sheriff or county “officials” as Morgan requests.” (Page 1)

FACTUAL BACKGROUND

James Morgan was incarcerated and sought release from jail under article 17.151 of the Texas Code of Criminal Procedure. He filed a pro se mandamus petition asking the court to compel the Ellis County Sheriff's Office and unnamed Ellis County officials to release him.

PROCEDURAL HISTORY

Morgan filed a petition for writ of mandamus and accompanying brief in the Court of Appeals on June 15, 2026. The court dismissed the petition because it lacked original jurisdiction to issue mandamus against a sheriff or county officials.

DISPOSITION

dismissed

OPINION

In Re James Morgan v. the State of Texas

PER CURIAM.

Court of Appeals Tenth Appellate District of Texas 10-26-00237-CR In re James Morgan Original Proceeding JUSTICE HARRIS delivered the opinion of the Court.

MEMORANDUM OPINION

In a pro se petition for writ of mandamus and accompanying brief filed in this Court on June 15, 2026, relator, James Morgan, appears to be requesting an order from this Court compelling the Ellis County Sheriff's Office and unnamed “Ellis County Officials” to release Morgan from jail pursuant to article 17.151 of the Texas Code of Criminal Procedure. Because we are a court of appeals, we have original and appellate jurisdiction only as authorized by law. See TEX. CONST. art. V, § 6. We have original jurisdiction to issue writs of mandamus only against a judge of a

district court, statutory county court, statutory probate county court, or county court in our district. See TEX. GOV'T CODE ANN. § 22.221(b). We do not have original jurisdiction to issue a writ of mandamus against a sheriff or county “officials” as Morgan requests. Accordingly, Morgan’s petition for writ of mandamus is dismissed.

LEE HARRIS

Justice OPINION DELIVERED and FILED: June 25, 2026 Before Chief Justice Johnson, Justice Smith, and Justice Harris Dismissed Do Not Publish OT06 In re Morgan Page 2