

TEXAS COURT OF APPEALS FOR THE FIRST DISTRICT

In re Tykisha Murphy

No. 01-26-00012-CV · No. 01-26-00012-CV · Decided January 22, 2026

SUMMARY

The First Court of Appeals of Texas dismissed Tykisha Murphy’s emergency petition for writ of mandamus and injunction for lack of jurisdiction. The court held that, because no underlying trial court case was pending and the requested relief targeted county drainage district officials rather than a judge within the court’s statutory mandamus jurisdiction, it lacked authority to grant relief under the Texas Open Meetings Act.

CASE DETAILS

COURT	Texas Court of Appeals for the First District
WRITING FOR THE COURT	Justice Guerra; Justice Caughey; Justice Dokupil
JURISDICTION	Texas Court of Appeals for the First District
DECIDED	January 22, 2026
DOCKET	01-26-00012-CV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original proceeding on an emergency petition for writ of mandamus, injunction, and temporary restraining order concerning alleged violations of the Texas Open Meetings Act.
PRECEDENTIAL VALUE	published
PARTIES	Tykisha Murphy, Relator v. Galveston County Drainage District No. 2 and its officials

TOPICS

- appellate jurisdiction
- subject matter jurisdiction
- appellate procedure
- injunctions
- statutory interpretation

PRACTICE AREAS

- appellate procedure
- civil procedure
- municipal law
- statutory interpretation

QUESTIONS PRESENTED

1. Whether the Texas Court of Appeals for the First District had jurisdiction under Texas Government Code section 551.142(a) to issue mandamus or injunctive relief directly against officials of a county drainage district for an alleged Texas Open Meetings Act violation.

HOLDINGS

1. The court of appeals lacked jurisdiction to consider the petition because its writ authority under Texas Government Code section 22.221 does not permit it to issue mandamus or injunctions against county drainage-district officials, and no underlying proceeding existed whose jurisdiction could be enforced.

KEY QUOTATIONS

“An interested person, including a member of the news media, may bring an action by mandamus or injunction to stop, prevent, or reverse a violation or threatened violation of this chapter by members of a governmental body.”

“As an appellate court, we have no power to issue writs of mandamus or injunction against officials of a county drainage district.”

FACTUAL BACKGROUND

Tykisha Murphy was a director of Galveston County Drainage District No. 2. She alleged that the drainage district and its officials failed to comply with the Texas Open Meetings Act and sought mandamus, injunctive, and temporary restraining relief. According to the petition and appendix, no underlying trial-court case was pending in Galveston County.

PROCEDURAL HISTORY

Tykisha Murphy, a director of Galveston County Drainage District No. 2, filed an emergency original petition in the court of appeals alleging that the drainage district and its officials failed to comply with the Texas Open Meetings Act. The court determined that no underlying trial-court case was pending in Galveston County and dismissed the petition for lack of jurisdiction; pending motions were dismissed as moot.

DISPOSITION

dismissed

OPINION

PER CURIAM.

Opinion issued January 22, 2026 In The Court of Appeals For The First District of Texas NO. 01-26-00012-CV IN RE TYKISHA MURPHY, Relator Original Proceeding on Petition for Writ of Mandamus MEMORANDUM OPINION Relator Tykisha Murphy, a director of Galveston County Drainage District No. 2, filed an emergency petition for writ of mandamus and injunction and a

request for a temporary restraining order concerning the Galveston County Drainage District No. 2 and its officials' failure to comply with the Texas Open Meetings Act.

1 We dismiss the petition for lack of jurisdiction. 1 According to the petition and appendix, there is no underlying trial court case pending in Galveston County, Texas. Relator contends that this Court has jurisdiction to grant mandamus and injunctive relief pursuant to Section 551.142(a) of the Texas Government Code. This section provides: "An interested person, including a member of the news media, may bring an action by mandamus or injunction to stop, prevent, or reverse a violation or threatened violation of this chapter by members of a governmental body." TEX. GOV'T CODE § 551.142(a).

Although no case law has construed this statute and in which court this action must be filed, we find that it is not the court of appeals. A court of appeals has the power to issue writs of mandamus and other writs as provided by the Texas Government Code. See TEX. GOV'T CODE § 22.221. An appellate court may issue writs of mandamus and other writs as needed to enforce our jurisdiction.

See TEX. GOV'T CODE § 22.221(a). Furthermore, the statute permits appellate courts to issue mandamus relief only against judges of district, statutory county, statutory probate, and county courts in the appellate court's district. See TEX. GOV'T CODE § 22.221(b).

As an appellate court, we have no power to issue writs of mandamus or injunction against officials of a county drainage district. Therefore, we lack jurisdiction to consider this petition. We dismiss this petition for lack of jurisdiction. Any pending motions are dismissed as moot. PER CURIAM Panel consists of Justices Guerra, Caughey, and Dokupil. 2